IN THE

# Supreme Court of the United States

October Term, 1973

## No. 73-898

NORVAL GOSS, et al.,
*Appellants.*

v.

EILEEN LOPEZ, ETC., et al.,
*Appellees.*

**On Appeal from a Three-Judge United States District Court for the Southern District of Ohio, Eastern Division**

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For instance, first I will take the testing thing. We have, in Columbus, a testing week which used to be in October and I think it's been expanded now to two weeks. Of course now it's also in April. They have changed that time, but if a student, all tenth graders are required to take three tests. An intelligence test, an arithmetic achievement test and a language test.

Now, if a student is absent during that time, he more than likely will not be able to make up that test because the way the testing schedule is set up, you are to take tests during a specified time. Usually makeups are given toward the end of that period, but once that period of one week or two weeks, whatever, is over, they don't get a chance to take the test.

Now, that test is important. Now, this is just for tenth graders I am talking about. That test is important because the Columbus Testing Profile is a part of the student's school record, and you can see a comparison on national norms, you know, where the student falls below average, average, or above average, with other students across the nation.

The Court: Are there other things similar to this that if a student were out for a **(page 104)** given period of time, he might miss and not be able to make up? A. Yes, like the Ohio tests of scholastic achievement. This is something that a student volunteers to participate in, but the ratings or rankings are given dependent upon how you score in the sub category in your school. If you score in the top fourth of the category in your school, like in biology for instance, then you are eligible to go to State competition.

It is very desirable to have on a student's record that he finished, say, first, second, or even fifth, in his school in biology.

Q. If you miss some of these contests, can you—A. It only occurs once a year, so you get it the next year, and then there are contests like the Voice of Democracy, like Americanism in Government tests. There are a number of things that occur.

These things that I am mentioning, I administer these in the schools. There are college conferences that I conducted at least, you know, one a week; some times two and three a week. Okay. If a certain college, or two or three colleges, you know, come in at a particular time that a student is suspended, they only come once a year, so they don't get to talk with the admission counsellors and things like that.

Q. Do suspensions, in your judgment or experience in the Columbus system, have any role in the tracking system in (**page 105**) Columbus?

Q. Could you describe the tracking system as it operates in Columbus? A. Yes. We do have a tracking system in Columbus. What I mean by that is that you have in general four placement categories of students, starting from the top you have honor students or students that are placed in honor classes, and then you have what we call just the regular classes. Then going down the hierarchy, the modified classes, and then the special classes.

Now, each of these categories has to do with a student's ability to do work, you know, based on what they have done in the past and based on perhaps IQ scores. That's part of it too, because you are placed in special based on IQ tests.



Q. You have described the tracking system. Could you describe in your experience very rapidly how a suspension may affect the ability to move from one track to another? A. Well, in a general way, and of course now this is, you know, my observation and my opinion, but many teachers seem to equate decorum or behavior in the classroom with educational ability, or if not educational ability, educational interests and attitude. Okay.

Now, I am saying that I have seen in some cases where because of the student's —

Mr. Bustin: Objection . . . (**page 106**)

Q. Mr. Horton, can you just briefly, sir, explain how this suspension may affect tracking? A. Students are some times allowed, depending on their progress in school, to move from one track to another; say from modified to regular. Okay. Or, it can go the other way, from regular to modified, and I am saying that, you know, a student's behavior can influence this kind of decision.

That's what I am saying, and some times does. That's all I am saying.

Q. The track you are in influences many other things as well? A. Yes.

Q. As a guidance counsellor, were you regularly asked to give college recommendations? A. Yes. In fact that was my responsibility for two years, one of my responsibilities like the last two years.

Q. Did you rely on a full file that was given to you in assessing a student in filling out recommendations? A. Yes, and I tried to submit as complete information to a school as possible.

Q. Do these files often contain letters of suspension of a student if the student has been suspended? A. Yes.

(Colloquy between Counsel and Court) (**page 107**)

By Mr. Roos:

Q. While you were a guidance counsellor, did you receive inquiries from potential employers of students who were —

The Court: That's another question along exactly the same line.

Mr. Roos: I have nothing further of this witness.

**CROSS-EXAMINATION**

By Mr. Bustin:

Q. Mr. Horton, in speaking about this tracking record that you did, or, no, let's talk about these special tests and stuff you were talking about that were given only once a year. If the student at the time this particular test was given happened to be sick or otherwise involved, would he miss that test also then? A. Yes.

Q. Mr. Horton, have you examined the cumulative files of the particular plaintiffs involved in this litigation? A. No.

Q. Do you know anything of their personal background or behavioral characteristics? A. No, I do not.

Mr. Bustin: Thank you. **(page 108)** No further questions, Your Honor.

The Court: That's all. Thank you, Mr. Horton, for coming here. You are excused.

**(page 109)**

(Certificate of Court Reporter Omitted in Printing)



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION
Civil Action No. 71-67
(Title Omitted in Printing)

**(page 2)**

**PROCEEDINGS**

Before the Honorable Joseph P. Kinneary, Chief Judge, sitting at Columbus, Ohio, July 16, 1973, Addendum to Transcript of Testimony.

The Court: Who do you wish to call now, if anyone?

Mr. Bustin: Your Honor, before I go to that point, I would like to renew our motion to dismiss. We do not believe that the evidence presented today, there has been a showing of involvement —

The Court: I will consider your motion to dismiss upon the grounds that you have set out in your trial memoranda, all your trial memoranda, and your pretrial brief.

Mr. Bustin: We would like for the record to renew our objection to the testimony of both psychologists and Mr. Horton, and move that it be stricken as pure speculation.

The Court: That is over-ruled.

Mr. Bustin: Just one second. May I have one second?

The Court: Yes surely.

THEREUPON followed a discussion at defense counsel table.

Mr. Bustin: With the witness that we put on out of order, the defendants will rest.

• • •

(Certificate of Court Reporter Omitted in Printing)

**EXHIBIT 1(A)**

**Superintendent of Schools - Harold H. Eibling**

**CENTRAL HIGH SCHOOL**
**75 Washington Boulevard, Columbus, Ohio 43215**

February 26, 1971

Mr. and Mrs. Manuel Lopez
831 Franklin Ave.
Columbus, Ohio

Dear Mr. and Mrs. Lopez:

We have had a continued problem in school for several days and today a group of students disrupted our complete school program.

Dwight was in the group and we need to have a personal conference with you and Dwight to determine what the problems may be.

Please keep him at home until a conference can be arranged. This will take some time. We will be communicating with you.

Respectfully,

CALVIN PARK
Principal



**EXHIBIT 1 B**

**Superintendent of Schools - Harold H. Eibling**

**CENTRAL HIGH SCHOOL**
**75 Washington Boulevard, Columbus, Ohio 43215**
**Telephone 224-3184**

March 1, 1971

Mr. and Mrs. Emanuel Lopez
831 Franklin Avenue
Columbus, Ohio

Dear Mr. and Mrs. Lopez:

It will be necessary for you to appear at the Board of Education before Dwight returns to school. I have given your telephone number to Mr. Williams of the Pupil Personnel office of the Board of Education. He will be in touch with you to set up an appointment.

Dwight is to remain home during the hours school is in session.

Yours truly,
JAMES C. FURGASON

## EXHIBIT 1 C

61 S. Sixth St.
Columbus, Ohio 43215
March 5, 1971

Mr. & Mrs. Emanuel Lopez
1112 Miller Avenue
Columbus, Ohio

Dear Mr. & Mrs. Lopez:

An appointment has been arranged for you and your son, Dwight, to appear at the Pupil Personnel Office on Monday, March 8th, at 8:30 a.m.

Sincerely,

H. M. WILLIAMS, *Director*
Pupil Personnel



## EXHIBIT 1 D

**COLUMBUS PUBLIC SCHOOLS**
**270 East State Street, Columbus, Ohio 43215**

March 24, 1971

Mrs. Eileen Lopez
1112 Miller Avenue
Columbus, Ohio 43206

Dear Mrs. Lopez:

I have received a letter from your daughter, Mrs. Alana Robinson, pertaining to your son, Dwight. She was inquiring as to the status of Dwight and his returning to school in Columbus.

As you no doubt recall, I had scheduled an appointment with you and Dwight on March 8, 1971 at 8:30 a.m. The purpose of this conference was to discuss various possibilities relating to Dwight's future educational plans.

This appointment was not kept nor did I receive from you a request to set up another conference. Since Dwight is 19 years of age and is no longer of compulsory school age, I thought that possibly you had made other plans for Dwight.

In regards to Dwight's placement in a Columbus School, permission is granted for him to enroll in Adult Day School, 272 S. Nelson Road, immediately. Waiver of fees is being recommended.

Sincerely,

H. M. WILLIAMS, *Director*
Pupil Personnel

# EXHIBIT 1 E

**COLUMBUS PUBLIC SCHOOLS**

**ACADEMIC RECORD**

Evening Central SENIOR HIGH SCHOOL

(To be Retained)

NAME Lopez Dwight Anthony HOME ROOM

ADDRESS 1112 Miller Avenue PHONE 252 3475

RESIDES WITH Manuel Lopez RELATIONSHIP

DATE OF BIRTH DATE ENTERED

| | DATE | REASON |
|---|---|---|
| WITHDRAWN | 3/25/71 | adult day school |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |

PHOTO

Indicate below the name of one adult, other than parent, who will probably know the pupil's residence for two years following graduation.

NAME

ADDRESS

PHONE



# Exhibit 1 E continued

Evening HIGH SCHOOL COLUMBUS, OHIO

CERTIFICATE OF CREDIT

NAME Lopez Dwight Anthony

SEX M DATE OF BIRTH 7 12 51 PLACE OF BIRTH Columbus Ohio

PARENT OR GUARDIAN

DATE ENTERED ADMITTED FROM Mohawk Junior H.S. Columbus Ohio

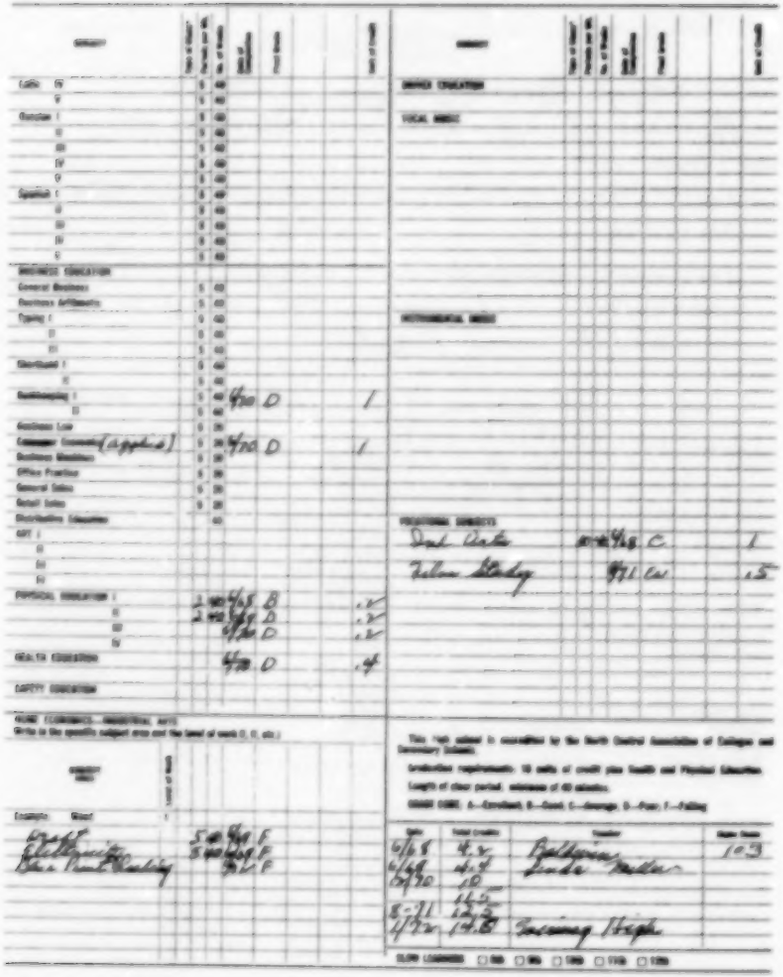
☐ WAS NOT GRADUATED ☐ WAS GRADUATED DATE OF DIPLOMA

NUMBER IN GRADUATING CLASS 129 RANK IN CLASS 95 AS COMPUTED 5-3-72

POINT AVERAGE 1.0370 AS COMPUTED 2-16-72 PRINCIPAL

| SUBJECT | 9 | 10 | 11 | 12 | | | CREDIT |
|---|---|---|---|---|---|---|---|
| Block Lit. x | | | | 3/4 D | | | .5 |
| Basic Math II | | | | | 3/4 | D | .1 |
| General Science I | | | | 11 | 3/4 | D | 1 |
| Physical Science II | | | | | | | |
| Biology I | | | | 11 | 1/4 | F 3/4 D | 1 |
| Biology II | | | | | | | |
| Chemistry | | | | | | | |
| Physics | | | | | | | |
| World History | | | | 11 | 1/4 | F | |
| American History | | | | 11 | 1/4 | F 3/4 | D .5 |
| Principles of Democracy | | | | 11 | 1/4 | C | |
| Current History | | | | 11 | 1/4 | F 3/4 | D .5 |
| General Mathematics | | | 11 | 3/4 | D | | 1 |
| Basic Mathematics | | | 11 | 1/4 | F | | |
| Algebra I | | | | | | | |
| Algebra II | | | | | | | |
| Geometry (Plane & Solid) | | | | | | | |
| Trigonometry | | | | | | | |
| Analytical Geometry | | | | | | | |
| General Mathematics V | | | | | | | |
| Junior Business Arithmetic | | | | | | | |
| Lit. | | | | | | | |
| Grammar | | | | | | | |
| Composition | | | | | | | |
| Literature | | | | | | | |
| Speech | | | | | | | |
| Dramatics | | | | | | | |
| Journalism | | | | | | | |
| Typewriting | | | | | | | |
| Shorthand | | | | | | | |
| Bookkeeping | | | | | | | |
| Business Law | | | | | | | |
| Office Practice | | | | | | | |
| Salesmanship | | | | | | | |
| Retailing | | | | | | | |
| Advertising | | | | | | | |
| Economics | | | | | | | |
| Business Organization | | | | | | | |
| Consumer Business | | | | | | | |
| Industrial Arts | | | | | | | |
| Mechanical Drawing | | | | | | | |
| Architectural Drawing | | | | | | | |
| Woodwork | | | | | | | |
| Metalwork | | | | | | | |
| Electricity | | | | | | | |
| Printing | | | | | | | |
| Foods | | | | | | | |
| Clothing | | | | | | | |
| Home Management | | | | | | | |
| Child Care | | | | | | | |
| Home Nursing | | | | | | | |
| Art | | | | | | | |
| Music | | | | | | | |
| Physical Education | | | | | | | |
| Health | | | | | | | |
| Driver Education | | | | | | | |
| Safety | | | | | | | |
| Military Science | | | | | | | |
| Aeronautics | | | | | | | |
| Navigation | | | | | | | |
| Seamanship | | | | | | | |
| Electronics | | | | | | | |
| Radio Code | | | | | | | |
| Aviation Ground School | | | | | | | |
| Flight Training | | | | | | | |
| Aviation Mechanics | | | | | | | |
| Aviation Electronics | | | | | | | |
| Aviation Physiology | | | | | | | |
| Aviation Meteorology | | | | | | | |
| Aviation Navigation | | | | | | | |
| Aviation Communications | | | | | | | |
| Aviation Engines | | | | | | | |
| Aviation Maintenance | | | | | | | |
| Aviation Safety | | | | | | | |
| Aviation Flight Operations | | | | | | | |
| Aviation Ground Operations | | | | | | | |
| Aviation Ground Support | | | | | | | |
| Aviation Ground Maintenance | | | | | | | |
| Aviation Ground Safety

## Exhibit 1 E continued





## Exhibit 1 E continued

**TRANSCRIPT RECORD**

| DATE | SENT TO | COMMENTS |
|---|---|---|
| 3/25/71 | Adult Day School | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

NAME Lopez, Dwight (M) F

HOME ROOM 210 310 103 LRC

GRADE LEVEL 7 8 9 10

PROMOTED FROM Douglas ELEMENTARY SCHOOL—DATE 6-11-65

GRADUATED FROM Roland JUNIOR HIGH SCHOOL—DATE 6-7-68

GRADUATED FROM SENIOR HIGH SCHOOL—DATE

## CUMULATIVE PERSONAL RECORD

Columbus, Ohio, Public Schools

IN CASE OF EMERGENCY NOTIFY:

NAME Dino Leonard Representative

ADDRESS 405 Clinton Phone B-6-5[illegible]

NAME Dino Nilsen Lopez

ADDRESS 719 Hawk St Phone 444-1168

### HONORS AND RECOGNITIONS

| SCHOOL | DATE | RECOGNITION |
|---|---|---|
| | | |

### EXTRA-CURRICULAR ACTIVITIES

| SCHOOL | DATE | ACTIVITY |
|---|---|---|
| Roland | 6-7-68 | Hi-Y |

### PUPIL'S EMPLOYMENT (Part-Time & Vacation)

| DATE | KIND OF WORK | HOURS | WEEKLY |
|---|---|---|---|
| 4/68 | Tom Sign Shop | | |

### OUT-OF-SCHOOL ACTIVITIES

| DATE | |
|---|---|
| Sept | Boy Scouts |



Exhibit 1 E continued

### RESIDENTIAL DATA

| NAME | GRADE | ENTERED | LEFT | FROM | TO | ADDRESS | PHONE | REMARKS | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Douglas | 6 | 9-30 | 9-65 | Nine Separated (Apt 44) | | Franklin | | Mother | | |
| Roland | 7 | | | | | | | | | |
| | 8 | | | | | | | | | |
| | 9 | | | | | | | | | |
| | 10 | | | | | | | | | |
| | 11 | | | | | | | | | |
| | 12 | | | | | | | | | |

### PARENTAL DATA

| | NAME | SEX | OCCUPATION | BUSINESS ADDRESS | PHONE | |
|---|---|---|---|---|---|---|
| | Lopez, Manuel | Sep | | | | |
| | Ellen | Sep | motor Veh Co | 719 Hawk St | | |

### ATTENDANCE DATA

| NAME | GRADE | | | | | | |
|---|---|---|---|---|---|---|---|
| Douglas | 6 | | 10 | | | | Boy Scouts Corporation |
| Roland | 7 | | 12 | | | | |
| | 8 | | 9 | | | | |
| | 9 | | 3 | | | | |
| Central | 10 | | 6 | | | | |

### COUNSELING RECORD

| DATE | TYPE | |
|---|---|---|
| | | |



Exhibit 1 E continued

Exhibit 1 E continued

## TEST DATA

### INTELLIGENCE

| DATE | GRADE LEVEL | NAME OF TEST | FORM | TYPE | IQ | MA | VERB. | NO. ABBR. | TOTAL | % TILE |
|---|---|---|---|---|---|---|---|---|---|---|
| 10-12-64 | 6 | Stanford Binet | S | Abbr | 85 | 11.8 | | | 85 | |
| 10-66 | 8 | Wood | A | GR | 93 | 12.4 | | | 87 | |

### OTHER STANDARDIZED TESTS

| DATE | GRADE LEVEL | TYPE | NAME OF TEST | FORM | CITY NORMS YES | CITY NORMS NO | RESULTS |
|---|---|---|---|---|---|---|---|
| 5-13-64 | 5 | Ach. | Calif. Achiev. | X | | X | Gr. Pl. 5.9 |
| 2-23-65 | 6 | Ach. | Stanford Ach. | X | X | | Ar 6.1 |
| 4-5-66 | 8 | Ach. | Stanford Ach. | X | X | | Ar 5.8 |
| 10-66 | 8 | Prog. | Self | M | X | | Eng 6.7 Spl 6.7 Ar 6.7 |
| 10-66 | 8 | Ach. | " | M | X | | Eng 6.3 Spl 6.5 Ar 7.4 |

### PERSONALITY TRAITS

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| INITIATIVE | | | | | | | |
| Works vigorously | | | | | | | |
| Solves problems | | ✓ | | | | | |
| Frequently initiates | ✓ | | | | | | |
| Self-reliant | | | ✓ | | ✓ | | |
| Actively creative | | | | | | | |
| WORK HABITS | | | | | | | |
| Solves problems | | | | | ✓ | | |
| Works well under pressure | | ✓ | | | | | |
| Needs occasional prodding | ✓ | | ✓ | | | | |
| Consistently prepared | | | | | | | |
| Seeks additional work | | | | | | | |
| INFLUENCE AND LEADERSHIP | | | | | | | |
| Popular | | | | | | | |
| Co-operates but not willing | | | | | | | |
| Contributing to school affairs | ✓ | | ✓ | | | | |
| Contributes to important affairs | | | | | | | |
| Frequently requested - takes things to | | | | | | | |

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| CONCERN FOR OTHERS | | | | | | | |
| Unaffected | | | | | | | |
| Self-centered | | | | | | | |
| Somewhat socially concerned | ✓ | | ✓ | | | | |
| Usually concerned | | | | | | | |
| Really concerned | | | | | | | |
| RESPONSIBILITY | | | | | | | |
| Irresponsible | | | | | | | |
| Somewhat dependable | | ✓ | | ✓ | | | |
| Usually dependable | ✓ | | ✓ | | | | |
| Conscientious | | | | | | | |
| Assumes much responsibility | | | | | | | |
| EMOTIONAL STABILITY | | | | | | | |
| Unstable | | | | | | | |
| Erratic | | | | | | | |
| Usually well-balanced | ✓ | | ✓ | | | | |
| Consistently calm | | | | | | | |

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| ATTENTION TO SCHOOL REGULATIONS | | | | | | | |
| Actively opposes regulations | | | | | | | |
| Indifferent | | | | | | | |
| Usually responsive | ✓ | | ✓ | | ✓ | | |
| Follows regulations unquestioningly | | | | | | | |
| Is completely school citizen | | | | | | | |
| PERSONAL APPEARANCE AND DRESS | | | | | | | |
| Consistently inappropriate | ✓ | | ✓ | | ✓ | | |
| Tendency to follow extreme trends | | | | | | | |
| Usually tidy | | | ✓ | | | | |
| Neat and dressed to good taste | | | | | | | |
| Consistently attractive appearance | | | | | | | |
| ADDITIONAL COMMENTS | | | | | | | |

ADDITIONAL TESTS RESULTS - COMMENTS



Exhibit 1 E continued

## ELEMENTARY SUMMARY

NAME Lopez, Dwight (M) FROM Douglas Elementary School

BIRTHPLACE Columbus Ohio BIRTH DATE 7-16-51 VALIDATION B.C.

### GENERAL ACADEMIC RATING

| | |
|---|---|
| Excellent | |
| Above Average | |
| Average | ✓ |
| Below Average | |
| Poor | |

### SPECIAL APTITUDES

### HEALTH DATA

| | | | |
|---|---|---|---|
| Vision | | Heart | |
| Hearing | | Lungs | |
| Weight | | Tuberculin Tests | |
| Posture | | Glands | |
| Speech | | Nutrition | |
| Physical | | Allergies | |

### SPECIAL RECOMMENDATIONS

### EXTRA-CURRICULAR ACTIVITIES, RECOGNITIONS

### SERIOUS ILLNESS - ACCIDENTS

| | DATE | | DATE |
|---|---|---|---|
| | | | |

NOTE: The elementary school will provide test data, personal data and further information on pupils if and as indicated.

ADDITIONAL INFORMATION (to be filled and signed)

ELEMENTARY

Attendance has been a problem. He is capable of doing the work well, but he will not do it usually. Hearing complaints have impeded progress. DLS 6/65

Attendance still a problem. He makes little effort to do the work but he is quite intelligent and seems to have much knowledge about many things. His spelling is atrocious (almost illiterate). Mr. Jeffords...

12-13-66 Suspended for fighting

### IMMUNIZATIONS

| TYPE | DATE |
|---|---|
| Smallpox | |
| DPT | |
| | |
| | |
| | |
| Polio Salk Vac. | |
| | |
| | |
| | |
| | |
| | |
| | |

## EXHIBIT 2 A

**Superintendent of Schools - Harold H. Eibling**

**McGUFFEY ELEMENTARY SCHOOL**
**2632 McGuffey Road, Columbus, Ohio 43211**

March 3, 1971

Mrs. Martha Jane Adams
1666 E. 25th Ave.
Columbus, Ohio 43219

Dear Mrs. Adams:

This is official notification that your son/daughter, Betty Jane Crome has been temporarily suspended from McGuffey Jr. High. This suspension will continue until March 8, 1971 at 10:45 at which time you are to accompany him/her to school for a conference. During this time he/she is to remain at home during school.

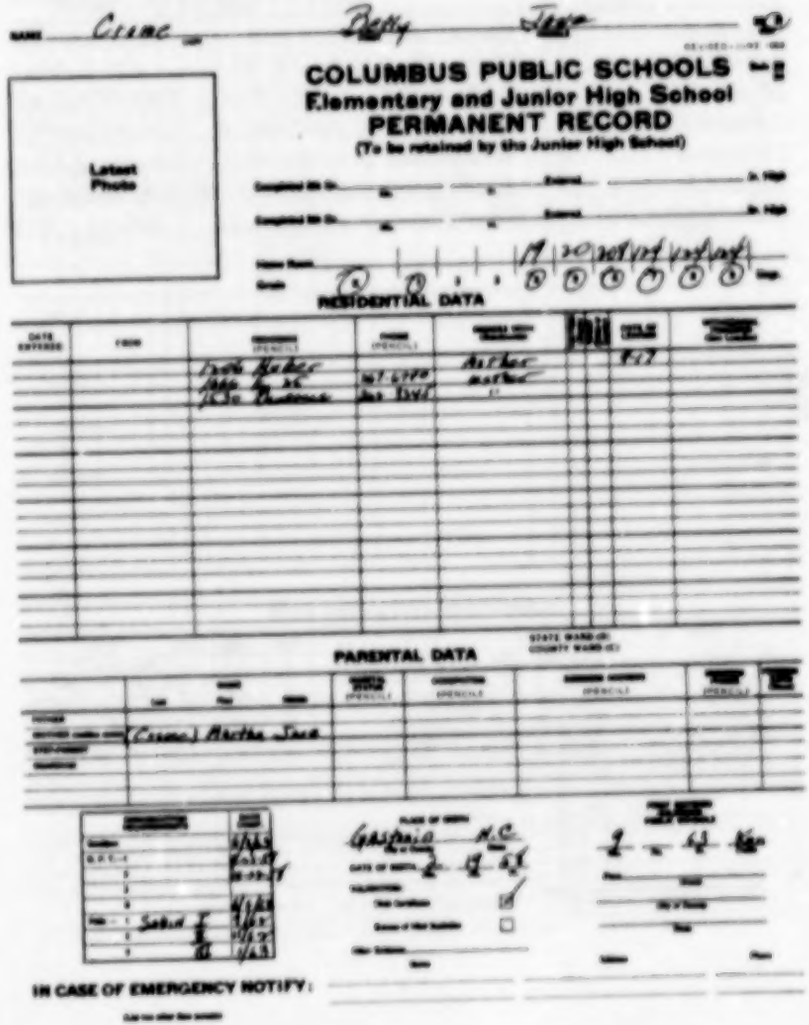
Yours respectfully,

FRANK D. MASON
Principal



## EXHIBIT 2 B

**(Reconstructed For Clarity in Printing)**



## Exhibit 2 B continued

**ELEMENTARY SCHOLARSHIP DATA**

| School | Grade | Teacher | Marks | Date |
|---|---|---|---|---|
| Windsor | K (9/65) | Amanda Wilks | C B ... B C | 6/64 |
| WINDSOR | 1 | J. Weintraub | B A B A B B ... B B A A | 6/65 |
| Windsor | 2 | Marilyn Koval | D A A A C B ... B B A A B A A | 6/66 |
| Windsor | 3 | Jane Bonn | B B C B A A C C ... B B C B C B B | 6/67 |
| Windsor | 4 | B. Ogrich | B B C B B A C C ... C C C C B B B | 6/68 |
| Windsor | 5 | A. Williams | B C D B D B B B B B B D B B B F D | 6/69 |
| Dufferry Park | 6 | Tom Pace | C C D B C C C D ... C B B C C C C | 6/70 |

**ELEMENTARY ATTENDANCE DATA**

| School | Date Entered | Grade | Teacher | Times Tardy | Days Present | Days Absent | Nature of Transfer |
|---|---|---|---|---|---|---|---|
| Windsor | 9/63 | Kg. | Amanda Wilks | 8 | 168 | 9 | [illegible] |
| Windsor | [illegible] | 1 | F. Weintraub | 9 | 157½ | 19½ | [illegible] |
| Windsor | [illegible] | 2 | M. Koval | 7 | [illegible] | 17 | [illegible] |
| Windsor | [illegible] | 3 | J. Bonn | 6 | [illegible] | 20 | [illegible] |
| Windsor | 9/67 | 4 | B. Ogrich | [illegible] | [illegible] | 6 | [illegible] |
| Windsor | [illegible] | 5 | A. Williams | | [illegible] | [illegible] | [illegible] |
| Dufferry Pk. | 9/69 | 6 | Tom Pace | 2 | 153½ | 24½ | 1-3 |



## Exhibit 2 B continued

**JUNIOR HIGH SCHOLARSHIP DATA**

| Subject | Yr. | Per Wk. | Date | Gr. | Date | Gr. | Cr. |
|---|---|---|---|---|---|---|---|
| ENGLISH | 7 | 5 | 6-71 | F | | | |
| | 8 | 5 | 6-72 | C | | | |
| | 9 | 5 | 6-73 | D | | | 1.0 |
| Grammar | 9 | 5 | | | | | |
| SOCIAL STUDIES | 7 | | 6-71 | D | | | |
| Geography | 7 | 5 | | | | | |
| Ohio Hist. & Gov. | 7 | 5 | | | | | |
| American History | 8 | 5 | 6-72 | (F) | 6-73 | F | |
| MATHEMATICS | 7 | 5 | 6-71 | D | | | |
| | 8 | 5 | 6-72 | (F) | | | |
| | 9 | 5 | 6-73 | D | | | 1.0 |
| Algebra I | 9 | 5 | | | | | |
| Geometry | 9 | 5 | | | | | |
| SCIENCE | | | | | | | |
| Health Science | 8 | 5 | 6-72 | | | | |
| General Science | 9 | 5 | 6-73 | D | | | 1.0 |
| LANGUAGE | | | | | | | |
| French I | 9 | 5 | | | | | |
| French II | 9 | 5 | | | | | |
| Spanish I | 9 | 5 | | | | | |
| Spanish II | 9 | 5 | | | | | |
| Latin I | 9 | 5 | | | | | |
| Latin II | 9 | 5 | | | | | |
| German I | 9 | 5 | | | | | |
| BUSINESS EDUCATION | | | | | | | |
| Typewriting | 9 | 5 | | | | | |
| General Business | 9 | 5 | | | | | |
| HOME EC. | 7 | 4 | 6-71 | C | | | |
| | 8 | 2-4 | | | | | |
| | 9 | 10 | 6/73 | C | | | 1.0 |

| Subject | Yr. | Per Wk. | Date | Gr. | Cr. |
|---|---|---|---|---|---|
| IND. ARTS | 7 | 4 | | | |
| | 8 | 2-4 | | | |
| | 9 | 10 | | | |
| ART | 7 | 2 | 6-71 | C | |
| | 8 | 2 | | | |
| | 9 | 2 | | | |
| PHYSICAL EDUCATION | 7 | 2 | 6-71 | C | |
| | 8 | 2 | 6-72 | (F) | |
| | 9 | 2 | 6-73 | D | .2 |
| MUSIC | 7 | 2 | 6-71 | C | |
| | 8 | 2 | | | |
| | 9 | 2 | | | |
| Glee Club | 7 | | | | |
| | 8 | | | | |
| | 9 | | | | |
| Band | 7 | | | | |
| | 8 | | | | |
| | 9 | | | | |
| Orchestra | 7 | | | | |
| | 8 | | | | |
| | 9 | | | | |
| Instrumental | | | | | |
| Chorus | | | | | |

| DATE | GRADUATION DEFICIENCIES |
|---|---|
| | |

**JUNIOR HIGH ATTENDANCE DATA**

| GRADE | 7 | 8 | 9 | REMARKS |
|---|---|---|---|---|
| School Year | 70-71 | 71-72 | | |
| Days Due | 179 | 182 | | |
| Days Present | 108 | 120 | | |
| Days Absent | 71 | 67 | | |
| Times Tardy | 4 | 7 | | |

## Exhibit 2 B continued

### TEST DATA

INDIVIDUAL INTELLIGENCE

| DATE | GRADE | NAME OF TEST | C.A. | M.A. | I.Q. | ADMINISTERED BY PERSON TESTING & DEPARTMENT |
|---|---|---|---|---|---|---|
| 9-21-65 | 2 | Kuhlmann-Anderson | 7-7 | | 98 | |

REMARKS: FOR ELEMENTARY USE

3/64 Rpt Inc Clark R. Readiness 41 High Avg.

4/67 Betty is a darling girl - Very likable - does not understand the purpose of Report Cards

REMARKS: FOR JUNIOR HIGH USE

280



## Exhibit 2 B continued

### CUMULATIVE PERSONAL RECORD

Columbus, Ohio, Public Schools

LEGAL NAME _____ SEX _____ AGE _____ (Yr.) _____ (Mo.)

HOME ROOM 124 124

GRADE LEVEL 2 3

PROMOTED FROM Mallory Park ELEMENTARY SCHOOL—DATE 6/70

GRADUATED FROM _____ JUNIOR HIGH SCHOOL—DATE _____

GRADUATED FROM _____ SENIOR HIGH SCHOOL—DATE _____

IN CASE OF EMERGENCY NOTIFY

NAME Mrs. Hazel Hogue PHONE 542-3327

ADDRESS 524 Hogue

NAME _____ PHONE _____

ADDRESS _____

HONORS AND RECOGNITIONS

| SCHOOL | SCHOOL YEAR DATE | RECOGNITION |
|---|---|---|
| | | |

EXTRA-CURRICULAR ACTIVITIES

| SCHOOL | DATE | ACTIVITY |
|---|---|---|
| | | |

OUT-OF-SCHOOL ACTIVITIES

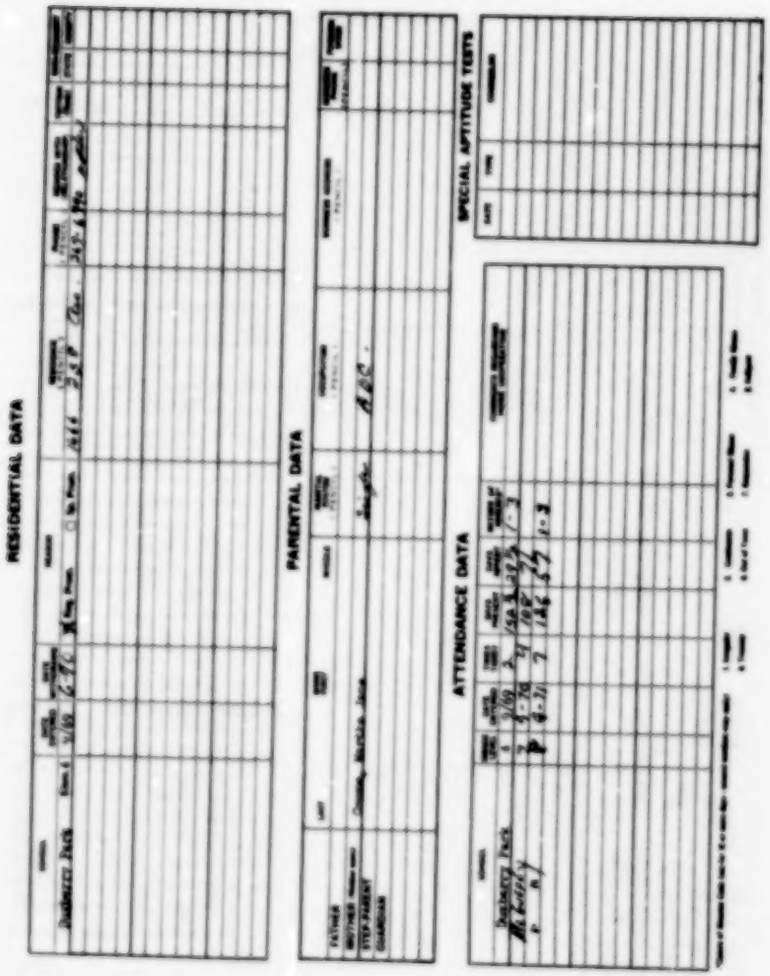
| DATE |
|---|
| |

PUPIL'S EMPLOYMENT (Part-Time & Vacation)

| DATE | KIND OF WORK | HOURS* | REMARKS |
|---|---|---|---|
| | | | |

* Hours per week if part-time; hours per day if vacation

## Exhibit 2 B continued






## Exhibit 2 B continued

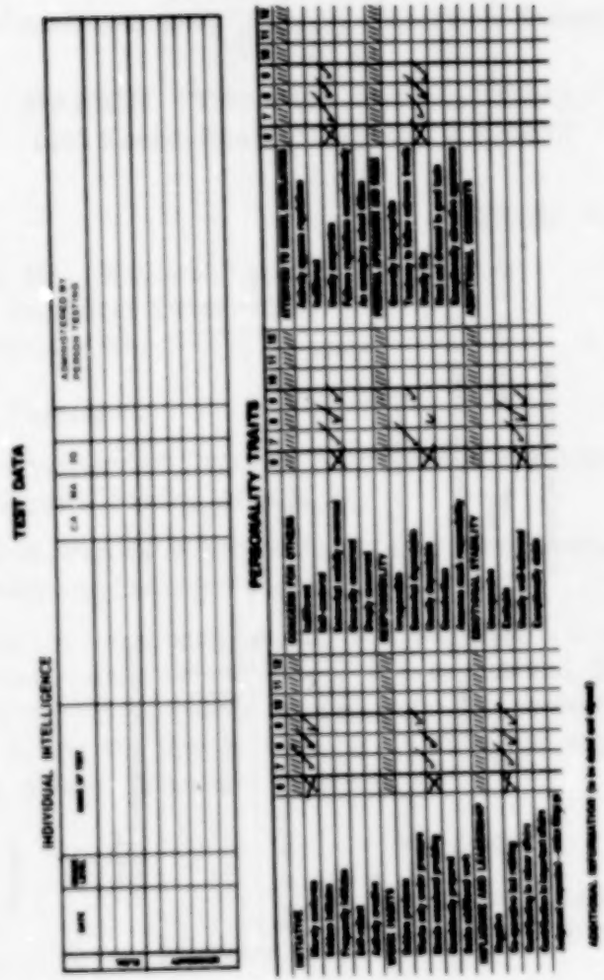
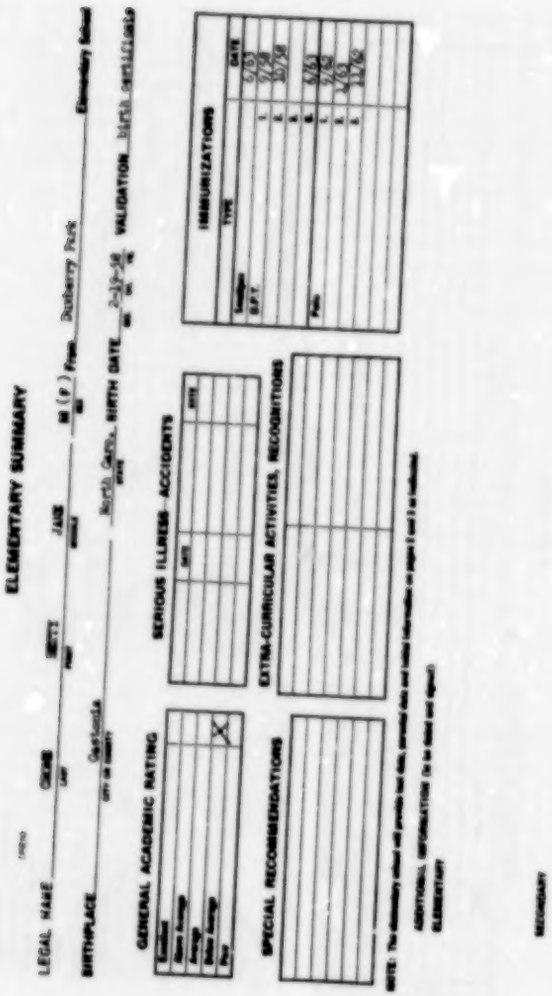


**Exhibit 2 B continued**






## EXHIBIT 3 A

**Superintendent of Schools - Harold H. Eibling**

**MARION - FRANKLIN HIGH SCHOOL**
**1265 Koebel Road, Columbus, Ohio 43207**

March 10, 1971

Mr. & Mrs. William Young
3351 Southfield Drive, East
Columbus, Ohio

Dear Parents:

I have suspended Deborah from Marion-Franklin High School until Friday, March 19.

Deborah was extremely defiant, and disrespectful with the assistant Principal today.

During the suspension period, your daughter is to remain at home during school hours, and not attend Marion-Franklin athletic events or other school sponsored activities during the day or evening. If there are any questions, please phone me at school.

Sincerely,

RICHARD KOLLMER
Assistant Principal

**EXHIBIT 3 B**

**Superintendent of Schools - Harold H. Eibling**

**MARION - FRANKLIN HIGH SCHOOL**
**1265 Koebel Road, Columbus, Ohio 43207**

March 19, 1971

Mr. & Mrs. William H. Young, Jr.
3351 Southfield Drive, East
Columbus, Ohio

Dear Parents:

I have suspended Deborah Fox from Marion-Franklin High School until Monday, March 29, or until contacted by Mr. Robert Carter or his representative regarding your daughter's school placement.

During the suspension period, your daughter is to remain at home during school hours, and not attend Marion-Franklin athletic events or other school sponsored activities during the day or evening. If there are any questions, please phone me at school.

Sincerely,

RICHARD KOLLMER
Assistant Principal



**EXHIBIT 3 C**

March 23, 1971

Mr. Richard Stinemetz, Prin.
South High School

Dear Mr. Stinemetz:

Approval is given for Deborah K. Fox, 3351 Southfield Drive, to enroll at South High School.

Miss Howard is working with Deborah and is very cooperative and interested in Deborah's improvement.

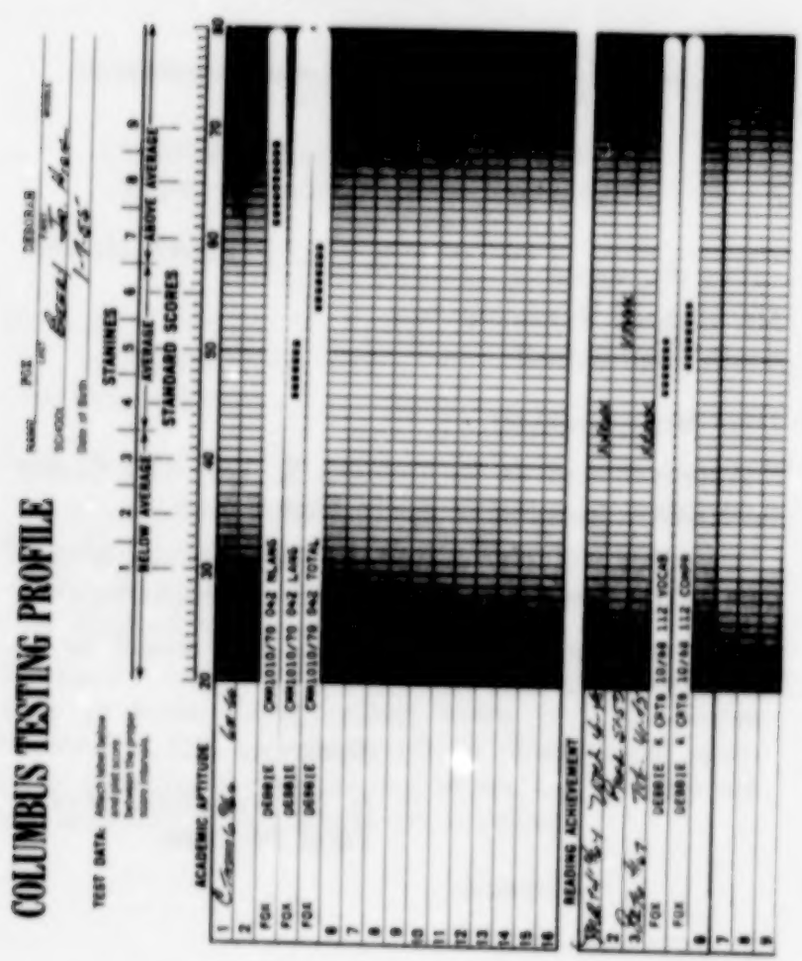
Any questions pertaining to this case should be referred to me or Miss Howard.

Sincerely,

H. M. WILLIAMS, *Director*
Pupil Personnel

## EXHIBIT 3 D

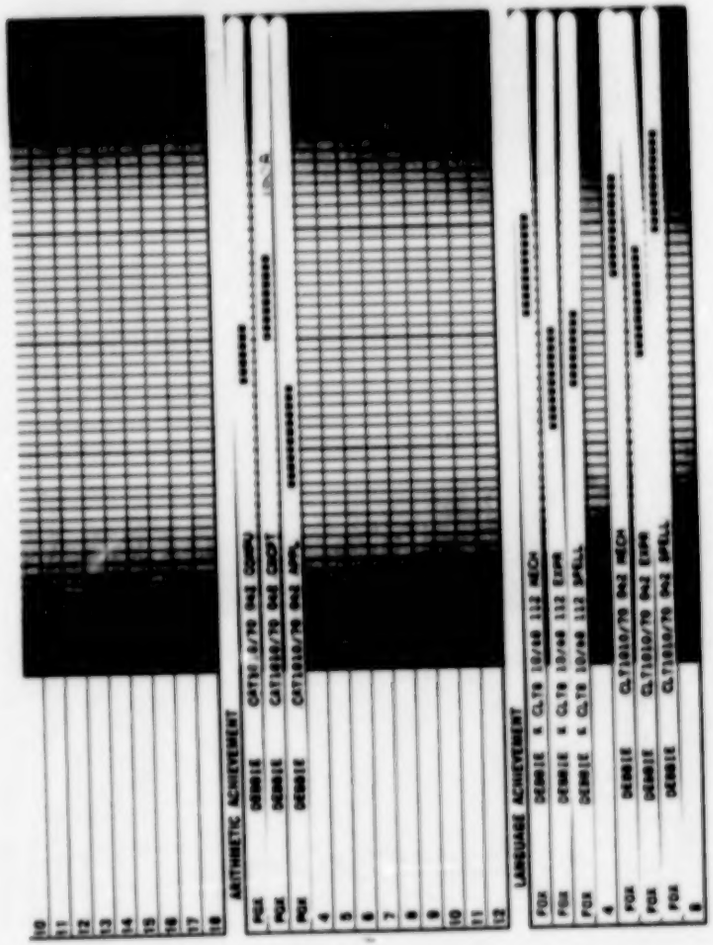
**(Reconstructed for Clarity in Printing)**





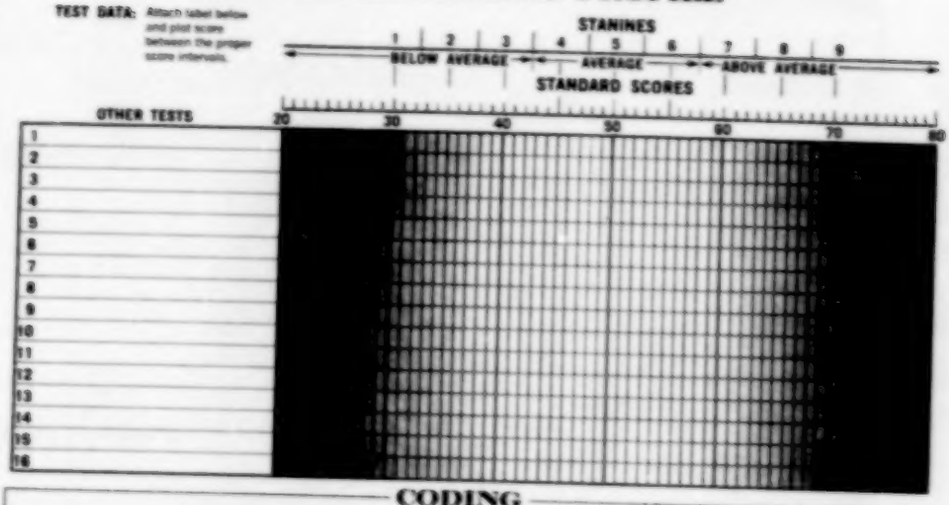

## Exhibit 3 D continued

**(Reconstructed for Clarity in Printing)**



## COLUMBUS TESTING PROFILE

TEST DATA: Attach label below and plot score between the proper score intervals.




### CODING

MRR Metropolitan Readiness
LCR Lee - Clark Readiness
ASR American School Readiness
KA Kuhlman-Anderson Intelligence
CTMM California Mental Maturity
O Otis Intelligence

MR Metropolitan Reading
SR Stanford Reading
CRT California Reading Test
HN Henmon - Nelson Intelligence

SA Stanford Arithmetic
CAT California Arithmetic Test
MA Metropolitan Arithmetic
OST Otis Survey Tests
CLT California Language Test

Code to be followed by number to indicate grade at which test is given. I.e., MR2 - Metropolitan Reading given in the 2.5 grade

Exhibit 3 D continued



## CUMULATIVE PERSONAL RECORD

Columbus, Ohio, Public Schools

NAME [illegible] KAT ___ M (F)

HOME ROOM 121 204 ___ 302 303 306 ___ ___ ___ ___

GRADE LEVEL 7 8 9 10 11 12 ___ ___ ___ ___

PROMOTED FROM Clarfield ELEMENTARY SCHOOL—DATE ___

GRADUATED FROM " JUNIOR HIGH SCHOOL—DATE 6-20

GRADUATED FROM ___ SENIOR HIGH SCHOOL—DATE ___

IN CASE OF EMERGENCY NOTIFY:
(If Parent Not Available)
NAME Regina Jones
ADDRESS Alum Creek PHONE 279-29
NAME ___
ADDRESS ___ PHONE ___
(Over) (Do Not Fold On Dots)

### HONORS AND RECOGNITIONS

| SCHOOL | DATE | RECOGNITION |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

### EXTRA-CURRICULAR ACTIVITIES

| SCHOOL | DATE | ACTIVITY |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

### PUPIL'S EMPLOYMENT (Part-Time & Vacation)

| DATE | KIND OF WORK | HOURS | REMARKS |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

### OUT-OF-SCHOOL ACTIVITIES

| DATE | |
|---|---|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Exhibit 3 D continued

**Exhibit 3 D continued**

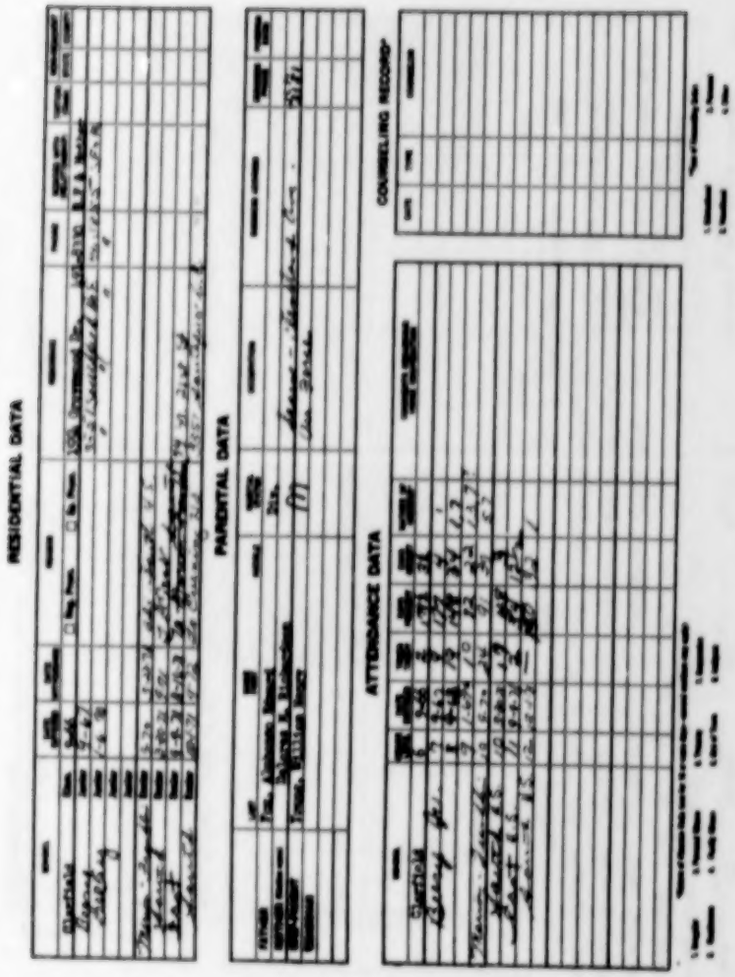
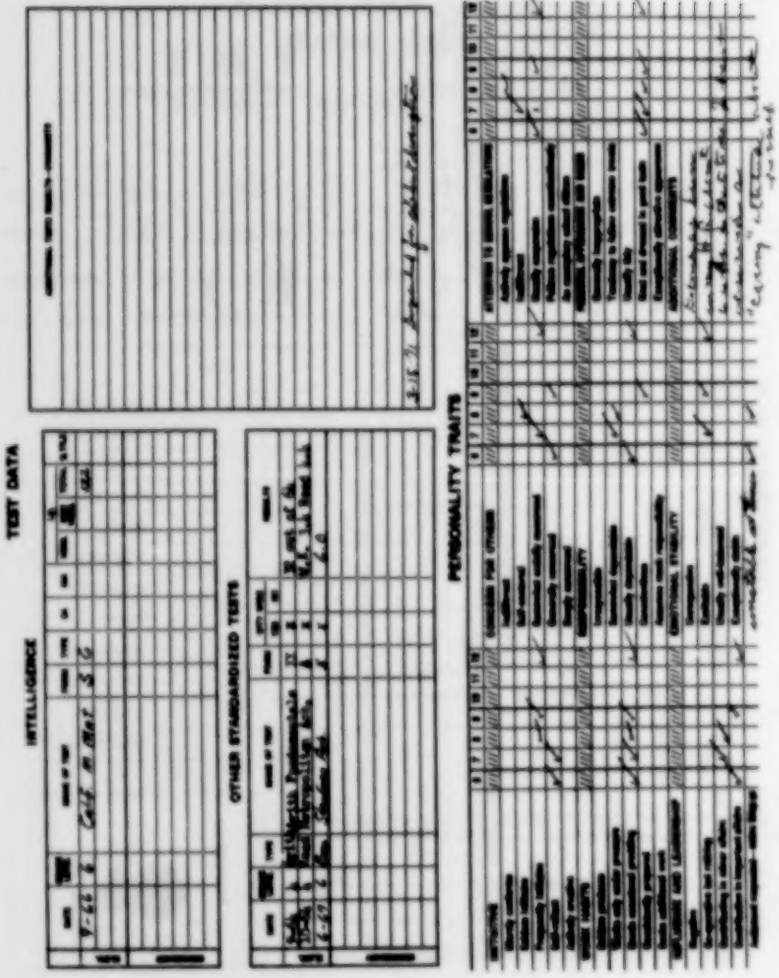





**Exhibit 3 D continued**



## Exhibit 3 D continued

ELEMENTARY SUMMARY

NAME _____ SEX _____ AGE _____ IQ (If) From _____ CLASSIFIED _____ Elementary School

BIRTHPLACE _____ BIRTH DATE _____ VALIDATION _____

HEALTH DATA

SERIOUS ILLNESS—ACCIDENTS

IMMUNIZATIONS

SPECIAL APTITUDES

EXTRA-CURRICULAR ACTIVITIES, RECOGNITIONS

GENERAL ACADEMIC RATING

SPECIAL RECOMMENDATIONS

NOTE: The elementary school will provide the above, personal data and school information on pages 1 and 2 to indicate ADDITIONAL INFORMATION (to be added and signed) ELEMENTARY

SECONDARY



## Exhibit 3 D continued

**COLUMBUS PUBLIC SCHOOLS**

**ACADEMIC RECORD**

South SENIOR HIGH SCHOOL
(To be Assigned)

12-305

4-23

NAME Fay Deborah Kay HOME ROOM

ADDRESS 3351 Southfield Dr East PHONE 491-5155

RESIDES WITH Wm + Rebecca Young RELATIONSHIP S/father + mother

DATE OF BIRTH 1-7-55 DATE ENTERED 12-1-71

| | DATE | REASON |
|---|---|---|
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |

PHOTO

Indicate below the name of one adult, other than parent, who will probably know the pupil's residence for two years following graduation.

NAME _____

ADDRESS _____

PHONE _____

## Exhibit 3 D continued

South HIGH SCHOOL COLUMBUS, OHIO

CERTIFICATE OF CREDIT

NAME Fox Deborah Kay ADDRESS 3351 Smithfield Dr

SEX F DATE OF BIRTH 1 2 58 PLACE OF BIRTH Cols Ohio

PARENT OR GUARDIAN Wm & Delores Young

DATE ENTERED Dec. 1, 1971 ADMITTED FROM East H.S.

Is supposed to grad. June 1972 Cols Ohio

☐ WAS NOT GRADUATED ☐ WAS GRADUATED DATE OF DIPLOMA

NUMBER IN GRADUATING CLASS 480 RANK IN CLASS ??? AS COMPUTED 1/??

POINT AVERAGE 2.087 AS COMPUTED 1/?? L.B. Fessler PRINCIPAL

| SUBJECT | GRADE | CREDIT |
|---|---|---|
| ENGLISH 9 | A | 1. |
| ENGLISH 10 | B | 1. |
| ALGEBRA I (8) | C | D |
| ALGEBRA II | D | 1. |
| GEOMETRY PLANE & SOLID | D | 1. |
| AMERICAN HISTORY | B | 1. |
| PRINCIPLES OF DEMOCRACY | D | 1. |
| GEOGRAPHY | C | 1. |
| FRENCH I 8?? | C | D |
| | D | 1. |
| | C | 1. |



## Exhibit 3 D continued

| SUBJECT | GRADE | CREDIT |
|---|---|---|
| BUSINESS ARITHMETIC | A | .5 |
| TYPING I | A | .5 |
| PHYSICAL EDUCATION I | B | .5 |
| | C | .5 |
| HEALTH EDUCATION | B | .5 |
| SAFETY EDUCATION | | |
| Clothing | 5 Wks B | .2 |

8/?? 11.5

## EXHIBIT 4 A

**Superintendent of Schools - Harold H. Eibling**

**MARION - FRANKLIN HIGH SCHOOL**
**1265 Koebel Road, Columbus, Ohio 43207**

March 16, 1971

Mrs. Katherine Cooper
1576 Koebel Road
Columbus, Ohio

Dear Mrs. Cooper:

I have suspended Susan, your daughter, from Marion-Franklin High School until Thursday, March 25. I will reserve 11:00 a.m. on this day for a conference with you and your daughter.

Susan was involved in the disturbance at school on Monday, March 15 at which time she showed a lack of respect for the principal.

During the suspension period, your daughter is to remain at home during school hours, and not attend Marion-Franklin athletic events or other school sponsored activities during the day or evening. If there are any questions, please phone me at school.

Sincerely,

OSCAR R. GILL
Assistant Principal



## EXHIBIT 4 B

**COLUMBUS PUBLIC SCHOOLS**
**ACADEMIC RECORD**

Marion Franklin SENIOR HIGH SCHOOL
(To be Retained)

69-70 10-B
70-71 10-B
71-72 10-B

NAME Cooper Susan Carol HOME ROOM
ADDRESS 1576 Koebel Rd. PHONE 491-2665 497-9495
RESIDES WITH Barbara E. Kathleen RELATIONSHIP Parent

| | DATE | REASON |
|---|---|---|
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |

**TRANSCRIPT RECORD**

| DATE | SENT TO | COMMENTS |
|---|---|---|
| 10-27-70 | Ohio Wesleyan Upward Bound | |
| 2-27-71 | " " | |
| 4-8-71 | Ohio U. | |
| " | Kent State U. | |
| 1-4-72 | 2nd U. Northern Ariz. | |
| 1-26-72 | Bowling Green State U. | |
| 2-10-72 | Ohio Wesleyan Upward Bound | |

Indicate below the name of one adult, other than parent, who will probably know the pupil's residence for two years following graduation.

NAME
ADDRESS
PHONE

## Exhibit 4 B continued

Thurgood Marshall HIGH SCHOOL COLUMBUS, OHIO

CERTIFICATE OF CREDIT

NAME: Cooper Susan G ADDRESS 1224 Yale Dr.

SEX: F DATE OF BIRTH: 5-26-54 PLACE OF BIRTH: Chillicothe Ohio

PARENT OR GUARDIAN: Edward E. & K. Horn

DATE ENTERED: 9-4-69 ADMITTED FROM Westerville H.S.

☐ WAS NOT GRADUATED ☑ WAS GRADUATED DATE OF DIPLOMA: 6-11-72

NUMBER IN GRADUATING CLASS: 328 RANK IN CLASS: 183 AS COMPUTED: 1-72

POINT AVERAGE: 1.933 AS COMPUTED: 1-72 Philip S. Fulton PRINCIPAL

| SUBJECT | GRADE 9 | GRADE 10 | GRADE 11 | GRADE 12 | | | CREDIT |
|---|---|---|---|---|---|---|---|
| **LANGUAGE ARTS** | | | | | | | |
| English I (9) | B | | | | | | 1 |
| II (10) | B | | 69 | C | | | 1 |
| III (11) | B | | 2-71 | C | | | 1 |
| English Literature & Composition | B | | 1-72 | C | | | 1 |
| Cont. Literature & Composition | B | | | | | | 1 |
| Business English | B | | | | | | |
| Dramatics (9) | B | | | | | | |
| Journalism | B | | | | | | |
| Speech I (Public Skills and Education) | B | | | | | | |
| Speech II (Dramatics) | B | | | | | | |
| **SOCIAL STUDIES** | | | | | | | |
| World History | B | | 69 | C | | | 1 |
| American History | B | | 2-71 | C | | | 1 |
| Principles of Democracy | B | | 1-72 | C | | | 1 |
| Current History | B | | | | | | 1 |
| Geography | B | | | | | | |
| | B | | | | | | |

| SUBJECT | GRADE 9 | GRADE 10 | GRADE 11 | GRADE 12 | | | CREDIT |
|---|---|---|---|---|---|---|---|
| **MATHEMATICS** | | | | | | | |
| General Mathematics | B | | 69 | C | | | 1 |
| Shop Mathematics | B | | | | | | |
| Algebra I | B | | 2-71 | B | | | 1 |
| Algebra II | B | | | | | | 1 |
| Geometry (Plane & Solid) | B | | | | | | |
| Trigonometry | B | | | | | | |
| Analytical Geometry | B | | | | | | |
| Advanced Mathematics V | B | | | | | | |
| Senior Review Arithmetic | B | | | | | | |
| **SCIENCE** | | | | | | | |
| General Science I | B | | | | | | |
| Physical Science II | B | | 2-71 | C | | | 1 |
| Biology I | B | | 1-72 | C | | | 1 |
| Biology II | B | | | | | | |
| Chemistry | B | | | | | | |
| Physics | B | | | | | | |
| **FOREIGN LANGUAGE** | | | | | | | |
| French I | B | | | | | | |
| II | B | | | | | | |
| III | B | | | | | | |
| IV | B | | | | | | |
| V | B | | | | | | |
| German I | B | | | | | | |
| II | B | | | | | | |
| III | B | | | | | | |
| IV | B | | | | | | |
| V | B | | | | | | |
| Latin I | B | | | | | | |
| II | B | | | | | | |
| III | B | | | | | | |

Write in the honors work (courses of the credits). Leave blank if none.



## Exhibit 4 B continued

| SUBJECT | GRADE 9 | GRADE 10 | GRADE 11 | GRADE 12 | | | CREDIT |
|---|---|---|---|---|---|---|---|
| Latin IV | B | | | | | | |
| V | B | | | | | | |
| Russian I | B | | | | | | |
| II | B | | | | | | |
| III | B | | | | | | |
| IV | B | | | | | | |
| V | B | | | | | | |
| Spanish I | B | | 69 | C | | | 1 |
| II | B | | 2-71 | C | | | 1 |
| III | B | | 1-72 | C | | | 1 |
| IV | B | | | | | | |
| V | B | | | | | | |
| **BUSINESS EDUCATION** | | | | | | | |
| General Business | B | | | | | | |
| Business Arithmetic | B | | | | | | |
| Typing I | B | | 2-71 | D | | | .5 |
| II | B | | | | | | |
| III | B | | | | | | |
| Shorthand I | B | | | | | | |
| II | B | | | | | | |
| Bookkeeping I | B | | | | | | |
| II | B | | | | | | |
| Business Law | B | | | | | | |
| Computer Economics | B | | | | | | |
| Business Machines | B | | | | | | |
| Office Practice | B | | | | | | |
| General Sales | B | | | | | | |
| Retail Sales | B | | | | | | |
| Distributive Education | B | | | | | | |
| **ART** I | | | 69 | C | | | .5 |
| II (Adv.) | | | 1-72 | B | | | .5 |
| III | | | | | | | |
| IV | | | | | | | |
| **PHYSICAL EDUCATION** I | | | 69 | C | | | .5 |
| II | | | 1-72 | C | | | .5 |
| III | | | 2-71 | C | | | .5 |
| IV | | | | | | | |
| **HEALTH EDUCATION** | | | 2-71 | C | | | .5 |
| **SAFETY EDUCATION** | | | | | | | |

| SUBJECT | GRADE 9 | GRADE 10 | GRADE 11 | GRADE 12 | | | CREDIT |
|---|---|---|---|---|---|---|---|
| **DRIVER EDUCATION** | | | | | | | |
| Theory | | | 1-72 | C | | | .5 |
| **VOCAL MUSIC** | | | | | | | |
| **INSTRUMENTAL MUSIC** | | | | | | | |
| **VOCATIONAL SUBJECTS** | | | | | | | |

**HOME ECONOMICS – INDUSTRIAL ARTS**

Write in the specific subject area and the level of work (I, II, etc.)

| SUBJECT | GRADE 9 | GRADE 10 | GRADE 11 | GRADE 12 | | | CREDIT |
|---|---|---|---|---|---|---|---|
| Example: Wood I | | | | | | | |
| Mechanical Drawing I | | | 1-72 | D | | | 1 |

This high school is accredited by the North Central Association of Colleges and Secondary Schools.

Graduation requirements: 16 units of credit plus Health and Physical Education.

Length of class period: minimum of 40 minutes.

GRADE CODE: A – Excellent; B – Good; C – Average; D – Poor; F – Failing

| Date | Total Credits | Teacher | Class Rank |
|---|---|---|---|
| 6-69 | 4.5 | Mr. Thompson M.S. | |
| 6-70 | 8 | Dr. Ryan | 110-B |
| 6-71 | 11.5 | Mr. Williams | 118-B |
| 6-72 | 16.5 | Jones | 183-B |

SLOW LEARNERS ☐ No ☐ Yes 7th Gr. 8th ☐ 9th ☐ 10th

**EXHIBIT 4 B continued**

March 16, 1971

Mrs. Katherine Cooper
1576 Koebel Road
Columbus, Ohio

Dear Mrs. Cooper:

I have suspended Susan, your daughter, from Marion-Franklin High School until Thursday, March 25. I will reserve 11:00 a.m .on this day for a conference with you and your daughter.

Susan was involved in the disturbance at school on Monday, March 15 at which time she showed a lack of respect for the principal.

During the suspension period, your daughter is to remain at home during school hours, and not attend Marion-Franklin athletic events or other school sponsored activities during the day or evening. If there are any questions, please phone me at school.

Sincerely,

OSCAR R. GILL
Assistant Principal

CC: Mr. C. L. Dumaree
Mr. H. M. Williams
Mr. Philip Fulton
Mr. Richard Kollmer



**Exhibit 4 B continued**

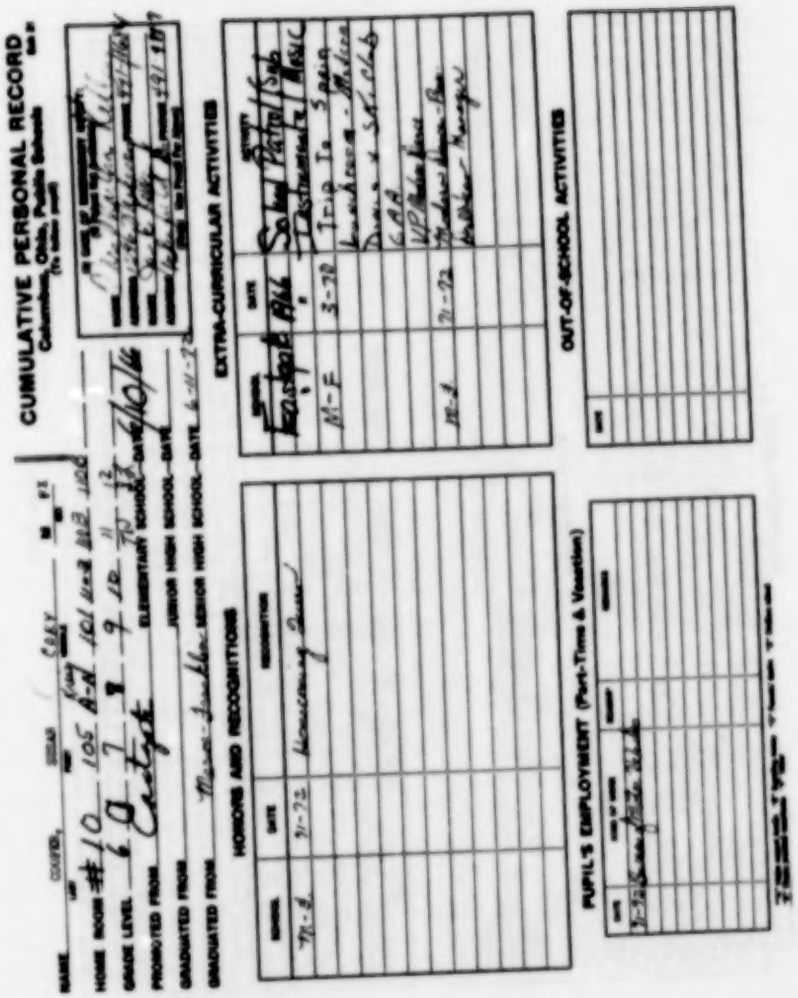


**Exhibit 4 B continued**

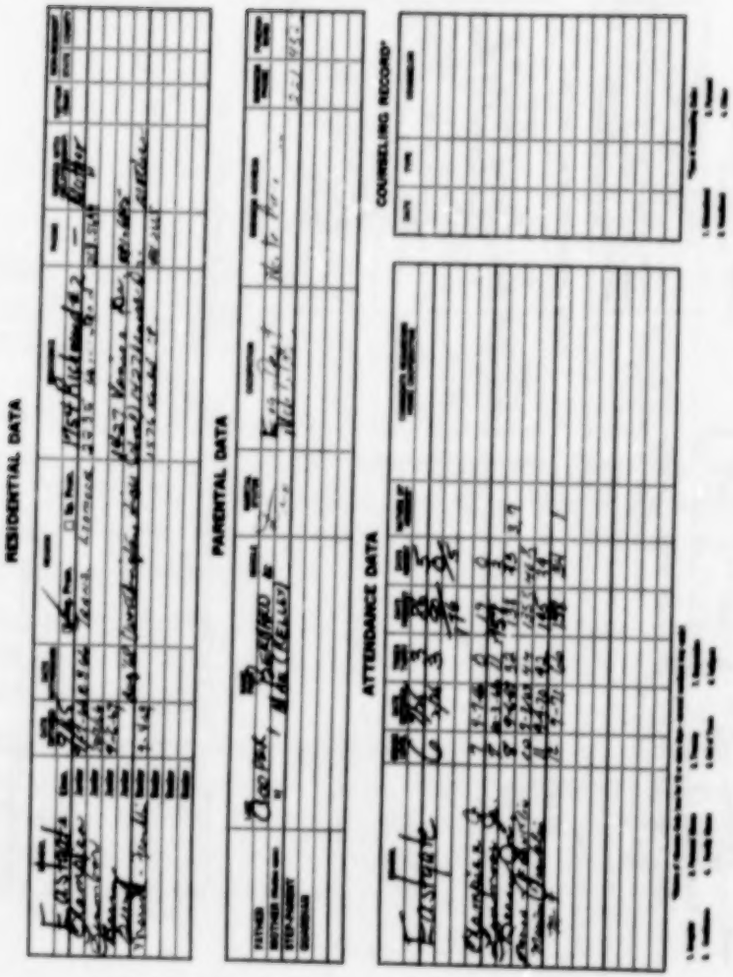
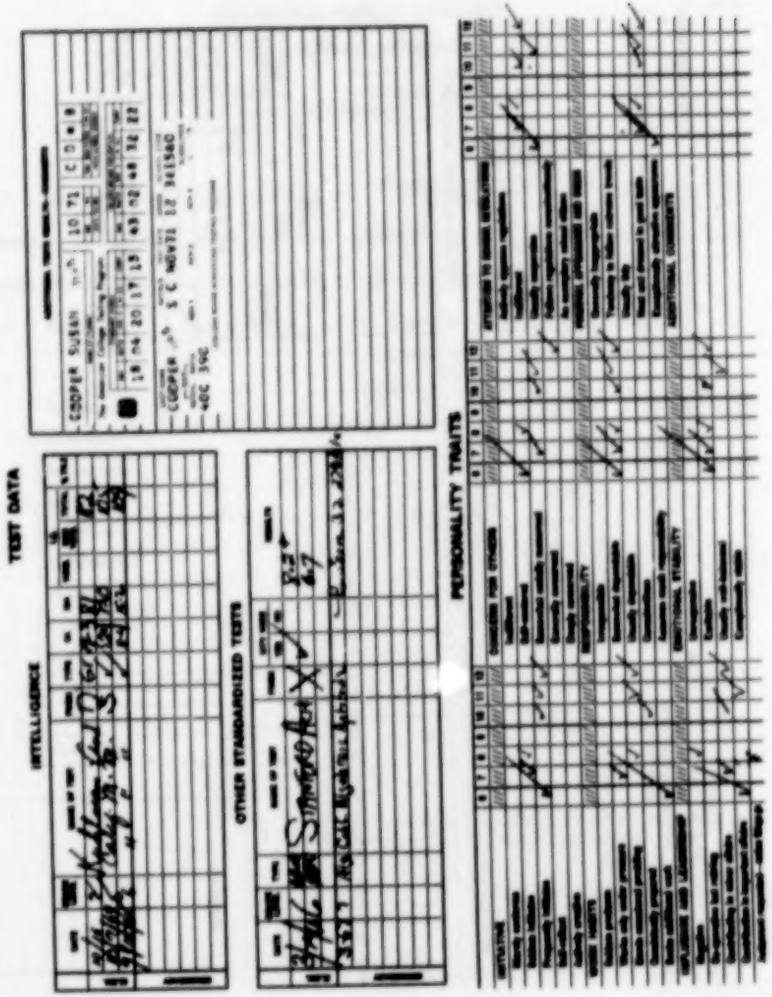





**Exhibit 4 B continued**



## Exhibit 4 B continued

## EXHIBIT 5 B

**COLUMBUS PUBLIC SCHOOLS**

**ACADEMIC RECORD**

Eastmoor SENIOR HIGH SCHOOL
(To be Published)

NAME Smith Carl Matthew HOME ROOM

ADDRESS 2295 Vada Street PHONE 279 9166

RESIDES WITH James - Vida Smith RELATIONSHIP P

DATE OF BIRTH DATE ENTERED

| | DATE | REASON |
|---|---|---|
| WITHDRAWN | 3/31/71 | Overage |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |

PHOTO

Indicate below the name of one adult, other than parent, who will probably know the pupil's residence for two years following graduation.

NAME

ADDRESS

PHONE

## Exhibit 5 B continued

Evening HIGH SCHOOL COLUMBUS, OHIO

CERTIFICATE OF CREDIT

NAME: Smith Carl Matthew ADDRESS

SEX: M DATE OF BIRTH: 11-10-53 PLACE OF BIRTH: Columbus Ohio

PARENT OR GUARDIAN

DATE ENTERED: April 1, 1970 ADMITTED FROM: West High

☐ WAS NOT GRADUATED ☒ WAS GRADUATED DATE OF DIPLOMA: 6-14-72

NUMBER IN GRADUATING CLASS: 109 RANK IN CLASS: 87 AS COMPUTED: 5-3-72

POINT AVERAGE: 1.0257 AS COMPUTED: 2-16-71 Jim Dawson PRINCIPAL

| SUBJECT | GRADE 9 | GRADE 10 | GRADE 11 | GRADE 12 | CREDIT |
|---|---|---|---|---|---|
| LANGUAGE ARTS | | | | | |
| English I | | | Lab D | | 1 |
| II | | | Lab F | | |
| III | | | Lab D | | |
| Black Lit | | | Lab C | | .5 |
| Engl Lit III | | | 72 B | 72 C | 1 |
| Eng (10) II | | | 72 C | 72 D | 1 |
| Speech I (Public, Radio and Television) | | | | | |
| Speech II (Dramatics) | | | | | |
| SOCIAL STUDIES | | | | | |
| World History | | | Lab F | Sum 72 D | 1 |
| American History | | | Lab D | | 1 |
| Principles of Democracy | | | 72 C | 72 C | 1.0 |
| Current History | | | | | |
| Geography | | | 72 C | 72 D | .5 |
| MATHEMATICS | | | | | |
| General Mathematics I | | | | | |
| II | | | | | |
| Shop Mathematics | | | | | |
| Algebra I | | | Lab D | | 1 |
| II | | | | | |
| Vocational Math & Guid | | | | | |
| Trigonometry | | | | | |
| Analytical Geometry | | | | | |
| Advanced Mathematics II | | | | | |
| Senior Review Arithmetic | | | | | |
| Math II | | SW | Lab C | | 1 |
| SCIENCE | | | | | |
| General Science I | | | Lab D | | 1 |
| Physical Science II | | | Lab C | | 1 |
| Biology I | | | | | |
| Biology II | | | | | |
| Chemistry | | | | | |
| Physics | | | | | |
| FOREIGN LANGUAGE | | | | | |
| French I | | | | | |
| II | | | | | |
| III | | | | | |
| IV | | | | | |
| German I | | | | | |
| II | | | | | |
| III | | | | | |
| IV | | | | | |
| Latin I | | | | | |
| II | | | | | |
| III | | | | | |



## Exhibit 5 B continued

| SUBJECT | GRADE 9 | GRADE 10 | GRADE 11 | GRADE 12 | CREDIT |
|---|---|---|---|---|---|
| BUSINESS EDUCATION | | | | | |
| General Business | | | | | |
| Business Arithmetic | | | | | |
| Typing I | | | Lab F | | |
| II | | | Lab C | | .5 |
| Shorthand I | | | | | |
| II | | | | | |
| Bookkeeping I | | | | | |
| II | | | | | |
| Business Law | | | | | |
| Consumer Economics | | | | | |
| Business Machines | | | | | |
| Office Practice | | | | | |
| General Sales | | | Lab C | | 1 |
| Retail Sales | | | | | |
| Distributive Education | | | | | |
| ART I | | | | | |
| II | | | | | |
| III | | | | | |
| IV | | | | | |
| PHYSICAL EDUCATION I | | | Lab B | | .5 |
| II | | | Lab E | | |
| III | | | Lab D | | .5 |
| IV | | | Lab C | | |
| HEALTH EDUCATION | | | Walk 72 C | 72 P | 1/2 |
| SAFETY EDUCATION | | | | | |
| HOME ECONOMICS—INDUSTRIAL ARTS | | | | | |
| Drafting I | 5 | | Lab F | | |
| Mechanical Drawing | 5 | | Lab F | | |

| Date | Term Credits | Teacher | Term Hours |
|---|---|---|---|
| 6/70 | 5.5 | | |
| 3/1/71 | 10.5 | | |
| 3/31 | 12.5 | | |
| 6/72 | 14.0 | Ed Wright | |

This high school is accredited by the North Central Association of Colleges and Secondary Schools.

Graduation requirements: 18 units of credit plus Health and Physical Education.

Length of class period: minimum of 40 minutes.

GRADE CODE: A—Excellent, B—Good, C—Average, D—Poor, F—Failing

SLIDE LEGENDS: ☐ 9th ☐ 10th ☐ 11th ☐ 12th

## Exhibit 5 B continued

**TRANSCRIPT RECORD**

| DATE | SENT TO | COMMENTS |
|---|---|---|
| 10-29-71 | Evening High School | |
| | | |
| | | |
| | | |
| | | |
| | | |
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| | | |
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| | | |
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| | | |
| | | |
| | | |



## Exhibit 5 B continued

**CUMULATIVE PERSONAL RECORD**
Columbus, Ohio, Public Schools

NAME _____ BIRTH _____ CARD _____

HOME ROOM 23d 234 462

GRADE LEVEL 7 10 11

PROMOTED FROM ELEMENTARY SCHOOL—DATE 6-65

GRADUATED FROM JUNIOR HIGH SCHOOL—DATE

GRADUATED FROM SENIOR HIGH SCHOOL—DATE

WEST MOUND STREET

HONORS AND RECOGNITIONS

| SCHOOL | DATE | RECOGNITION |
|---|---|---|
| Dutch | 6-70 | Merit |
| | | |

EXTRA-CURRICULAR ACTIVITIES

| SCHOOL | DATE | ACTIVITY |
|---|---|---|
| Dutch | 6-70 | Merit |
| | | |

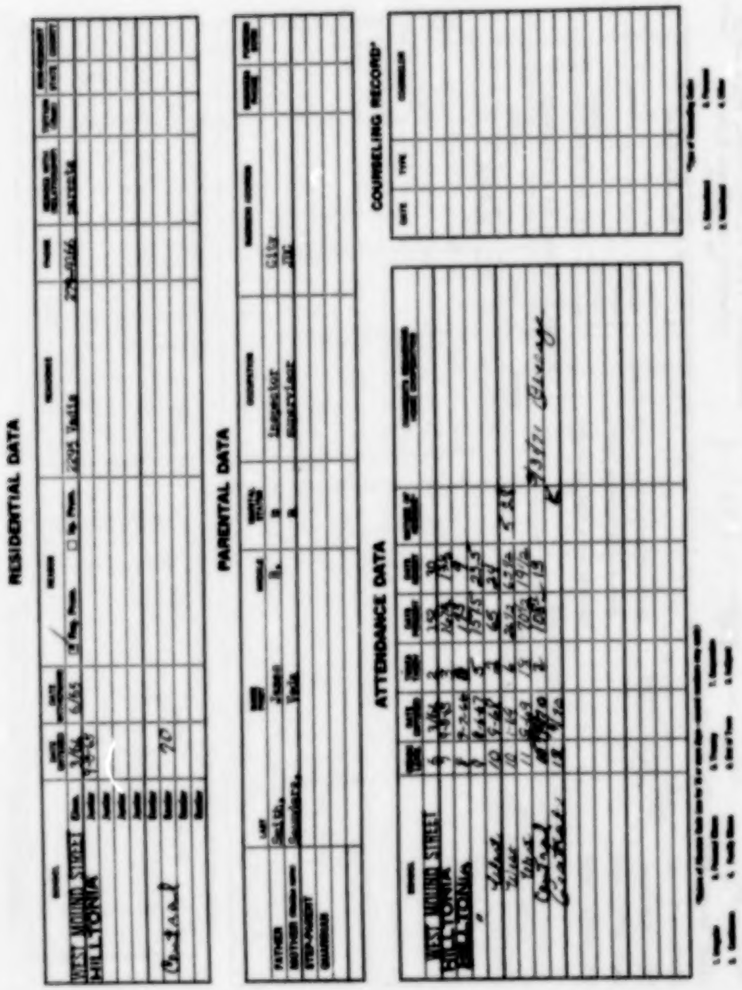
OUT-OF-SCHOOL ACTIVITIES

| DATE |
|---|
| |
| |

PUPIL'S EMPLOYMENT (Part-Time & Vacation)

| DATE | KIND OF WORK | HOURS | WAGES |
|---|---|---|---|
| | | | |
| | | | |

**Exhibit 5 B continued**


RESIDENTIAL DATA

WEST MOUND STREET

HILLTONIA

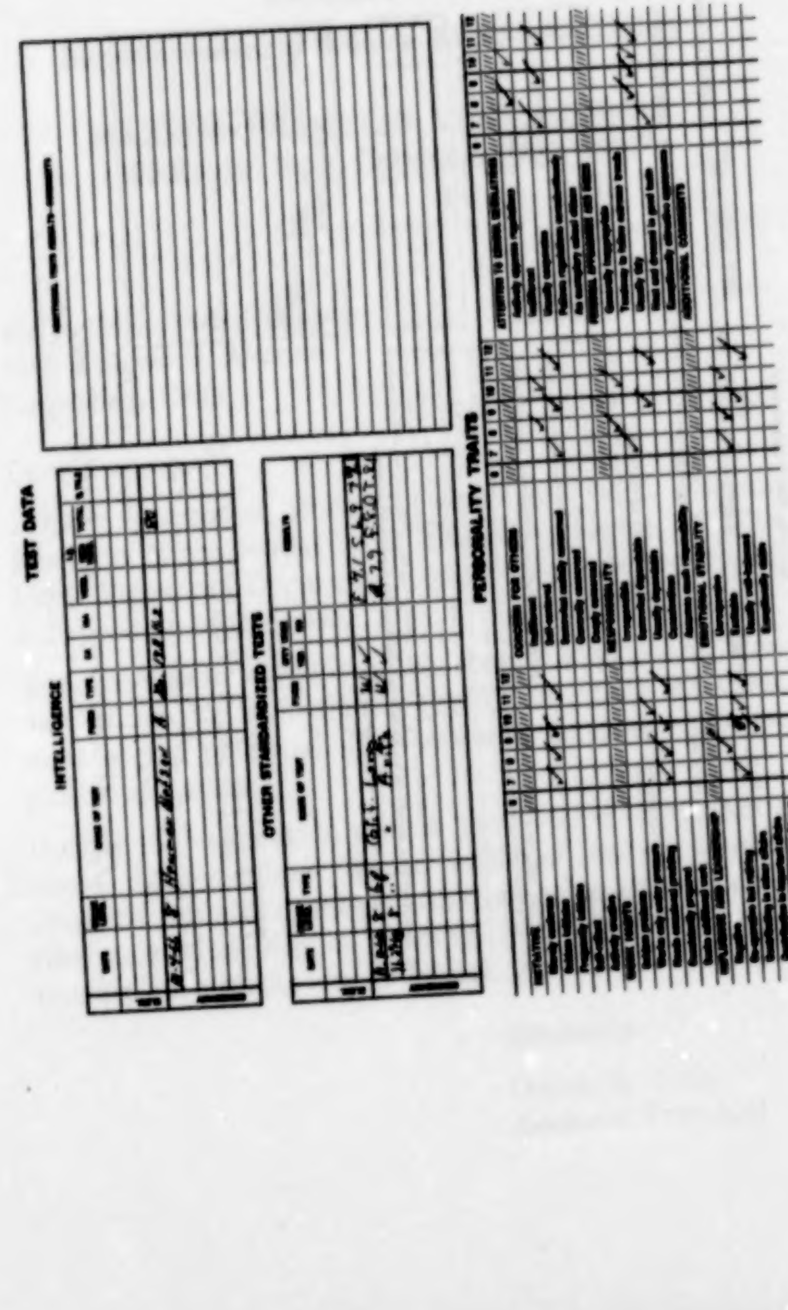
PARENTAL DATA

ATTENDANCE DATA

COUNSELING RECORD



**Exhibit 5 B continued**


TEST DATA

INTELLIGENCE

OTHER STANDARDIZED TESTS

PERSONALITY TRAITS

**Exhibit 5 B continued**

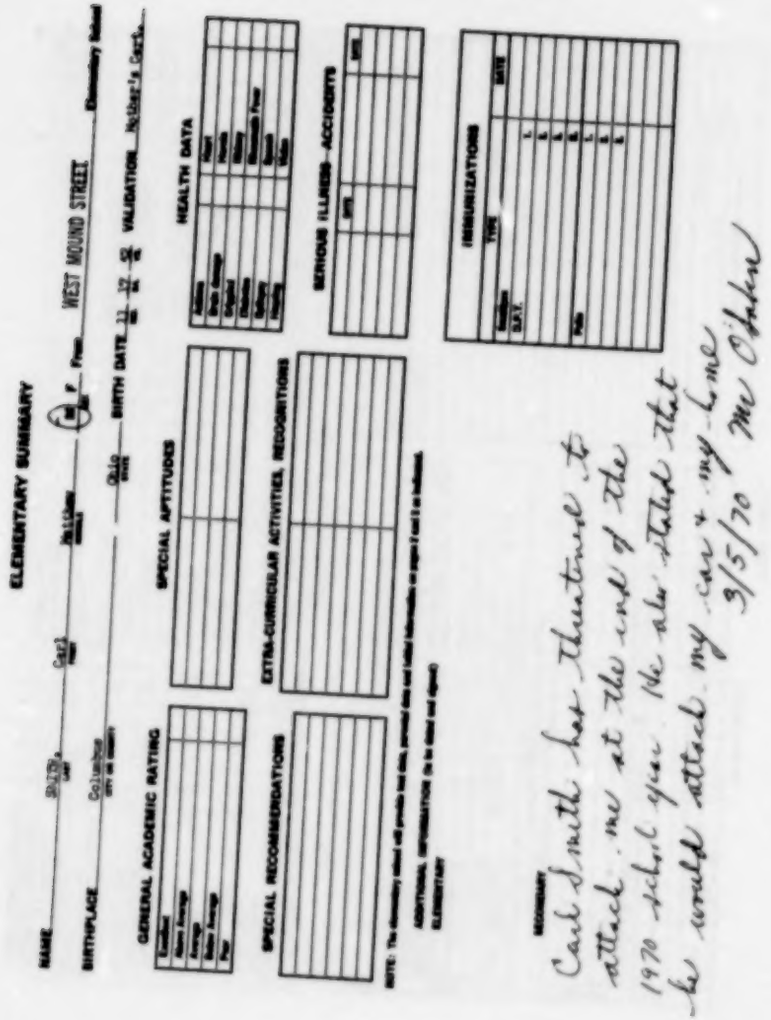





**EXHIBIT 6 A**

**Superintendent of Schools - Harold H. Eibling**

**MARION - FRANKLIN HIGH SCHOOL**
**1265 Koebel Road, Columbus, Ohio 43207**

March 16, 1971

Mr. & Mrs. Floyd Sutton
2949 Fairwood Avenue
Columbus, Ohio

Dear Parents:

I have suspended Rudolph, your son, from Marion-Franklin High School until Thursday, March 25. The Pupil Personnel Department will notify you concerning a disposition of this case.

Rudolph was involved in a disturbance at school on Monday, March 15. He defiantly refused to follow the directions of the principal. Furthermore, he created an explosive situation.

During the suspension period, your son is to remain at home during school hours, and not attend Marion-Franklin athletic events or other school sponsored activities during the day or evening. If there are any questions, please phone me at school.

Sincerely,

OSCAR R. GILL
Assistant Principal

## EXHIBIT 6 B

March 23, 1971

Mr. Richard Stinemetz, Prin.
South High School

Dear Mr. Stinemetz:

Approval is given for Rudolph Sutton, 2949 Fairwood Ave., to enroll at South High School for the balance of the 1970-71 school year. (Adjustment)

Please call if you have any questions.

Sincerely,

H. M. WILLIAMS, *Director*
Pupil Personnel



## EXHIBIT 6 C

**COLUMBUS PUBLIC SCHOOLS**
**ACADEMIC RECORD**
South SENIOR HIGH SCHOOL
(To be Retained)

NAME Sutton (Last) Rudolph (First) Earl (Middle) HOME ROOM 211
ADDRESS [illegible] PHONE 491-2379
RESIDES WITH Floyd L. & Juanita RELATIONSHIP Father & mother

| | DATE | REASON |
|---|---|---|
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |

**TRANSCRIPT RECORD**

| DATE | SENT TO | COMMENTS |
|---|---|---|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

PHOTO

Indicate below the name of one adult, other than parent, who will probably know the pupil's residence for two years following graduation.

NAME
ADDRESS
PHONE

## Exhibit 6 C continued

South HIGH SCHOOL COLUMBUS, OHIO

CERTIFICATE OF CREDIT

NAME: Sutton Rudolph Earl ADDRESS:

SEX: M DATE OF BIRTH: 12 27 54 PLACE OF BIRTH: Pike County, Indiana

PARENT OR GUARDIAN: Floyd V Juanita

DATE ENTERED: 9-29-71 ADMITTED FROM: Marion-Franklin

☐ WAS NOT GRADUATED ☒ WAS GRADUATED DATE OF DIPLOMA: June 6, 1971 REGULAR

NUMBER IN GRADUATING CLASS: RANK IN CLASS: AS COMPUTED:

POINT AVERAGE: AS COMPUTED: R B Steinmetz PRINCIPAL

| SUBJECT | Year in School | Semester | Credit | 1st Sem. | 2nd Sem. | | | Final |
|---|---|---|---|---|---|---|---|---|
| **LANGUAGE ARTS** | | | | | | | | |
| English I (9) | 9 | 1-2 | 10 | 68 | D | | | 1 |
| II (10) | 10 | 1-2 | 10 | 65 | D | | | 1 |
| III (11) | 11 | 1-2 | 10 | 70 | C | | | 1 |
| English Literature & Composition | 12 | 1-2 | 10 | 70 | C | | | 1 |
| Conf. Literature & Composition | | | | | | | | |
| Business English | | | | | | | | |
| Dramatics (9) | | | | | | | | |
| Journalism | | | | | | | | |
| Speech I (Public Rels and Television) | | | | | | | | |
| Speech II (Dramatics) | | | | | | | | |
| **SOCIAL STUDIES** | | | | | | | | |
| World History | 10 | 1-2 | 10 | 69 | D | | | 1 |
| American History | 11 | 1-2 | 10 | 70 | C | | | 1 |
| Principles of Democracy | 12 | 1-2 | 10 | W71 | D | | | 1 |
| Current History | | | | | | | | |
| Geography | | | | | | | | |
| **MATHEMATICS** | | | | | | | | |
| General Mathematics | 9 | 1-2 | 10 | 69 | C | | | 1 |
| Shop Mathematics | | | | | | | | |
| Algebra I | 10 | 1-2 | 10 | 69 | F | | | 1 |
| Algebra II | | 1-2 | 10 | W71 | D | | | 1 |
| Geometry (Plane & Solid) | | 1-2 | 10 | 70 | C | | | 1 |
| Trigonometry | | | | | | | | |
| Analytical Geometry | | | | | | | | |
| Advanced Mathematics V | | | | | | | | |
| Senior Review Arithmetic | | | | | | | | |
| **SCIENCE** | | | | | | | | |
| General Science I | 9 | 1-2 | 10 | 68 | D | | | 1 |
| Physical Science II | | | | | | | | |
| Biology I | 10 | 1-2 | 10 | 69 | C | | | 1 |
| Biology II | | | 10 | | | | | |
| Chemistry | | | 10 | | | | | |
| Physics | | | 10 | | | | | |
| **FOREIGN LANGUAGE** | | | | | | | | |
| French I | | | | | | | | |
| II | | | | | | | | |
| III | | | | | | | | |
| IV | | | | | | | | |
| V | | | | | | | | |
| German I | | | | | | | | |
| II | | | | | | | | |
| III | | | | | | | | |
| IV | | | | | | | | |
| V | | | | | | | | |
| Latin I | | | | | | | | |
| II | | | | | | | | |
| III | | | | | | | | |

3-15-71 Suspended for school disruption



## Exhibit 6 C continued

| SUBJECT | Year in School | Semester | Credit | 1st Sem. | 2nd Sem. | | | Final |
|---|---|---|---|---|---|---|---|---|
| Latin IV | | | | | | | | |
| V | | | | | | | | |
| Russian I | | | | | | | | |
| II | | | | | | | | |
| III | | | | | | | | |
| IV | | | | | | | | |
| V | | | | | | | | |
| Spanish I | 9 | 1-2 | 10 | 68 | C | | | 1 |
| II | | | | | | | | |
| III | | | | | | | | |
| IV | | | | | | | | |
| V | | | | | | | | |
| **BUSINESS EDUCATION** | | | | | | | | |
| General Business | | | | | | | | |
| Business Arithmetic | | | | | | | | |
| Typing I | 10 | 1-2 | 10 | 69 | F | | | .5 |
| II | | | | | | | | |
| III | | | | | | | | |
| Shorthand I | | | | | | | | |
| II | | | | | | | | |
| Bookkeeping I | | | | | | | | |
| II | | | | | | | | |
| Business Law | | | | | | | | |
| Consumer Economics | | | | | | | | |
| Business Mathematics | | | | | | | | |
| Office Practice | | | | | | | | |
| General Sales | | | | | | | | |
| Retail Sales | | | | | | | | |
| Distributive Education | | | | | | | | |
| ART I | | | | | | | | |
| II | | | | | | | | |
| III | | | | | | | | |
| IV | | | | | | | | |
| PHYSICAL EDUCATION I | 9 | 1-2 | | 68 | B | | | .2 |
| II | 10 | 1-2 | | 69 | B | | | .2 |
| III | 11 | 1-2 | | 70 | B | | | .2 |
| IV | | | | | | | | |
| HEALTH EDUCATION | 9 | 1-2 | | 70 | B | | | .4 |
| SAFETY EDUCATION | | | | | | | | |
| DRIVER EDUCATION | | | | 5-71 | B | | | .5 |
| VOCAL MUSIC | | | | | | | | |
| INSTRUMENTAL MUSIC | 7 | 1-2 | | 68 | B | | | 1 |
| VOCATIONAL SUBJECTS | | | | | | | | |

HOME ECONOMICS—INDUSTRIAL ARTS

Write in the specific subject area and the level of work (I, II, etc.)

| SUBJECT AREA | Year in School | Semester | Credit | 1st Sem. | 2nd Sem. | | | Final |
|---|---|---|---|---|---|---|---|---|
| Example: Wood | 1 | | | | | | | |
| Drafting | | 1-2 | | 70 | B | | | .5 |
| Electricity | | 1-2 | | 70 | C | | | .5 |
| Electronics | | | | W71 | AA | | | 1 |

This high school is accredited by the North Central Association of Colleges and Secondary Schools.

Graduation requirements: 16 units of credit plus Health and Physical Education.

Length of class period: minimum of 40 minutes.

GRADE CODE: A—Excellent; B—Good; C—Average; D—Poor; F—Failing

| Date | Year Grade | Name | Home Room |
|---|---|---|---|
| 6-70 | 10-9 | Marion-Franklin | |

SLOW LEARNERS ☐ 9th ☐ 10th ☐ 11th ☐ 12th

NAME: SUTTON, FLOYD RUFUS — RACE: N — SEX: M

# CUMULATIVE PERSONAL RECORD
Columbus, Ohio, Public Schools
(To follow pupil)

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| HOME ROOM | 1200 | 1-5 | 2-5 | 155-6 | 115 | 211 | | | | | |
| GRADE LEVEL | 7 | 8 | 9 | 10 | 11 | 12 | | | | | |
| PROMOTED FROM | Watkins | | | | | | | | | | |
| GRADUATED FROM | | BEERY | | | | | | | | | |

ELEMENTARY SCHOOL—DATE 6-11-65
JUNIOR HIGH SCHOOL—DATE 6-68
SENIOR HIGH SCHOOL—DATE

IN CASE OF EMERGENCY NOTIFY:
(If Parent Not Available)
NAME Mrs Dorothy Broomfield
ADDRESS 333 Nelson Av. PHONE 461-2536
NAME
ADDRESS PHONE
(Note: Use Pencil For Above)

## HONORS AND RECOGNITIONS

| SCHOOL | DATE | RECOGNITION |
|---|---|---|
| Mason Frank | 68-69 | — |
| Mason Frank | 69-76 | |

## EXTRA-CURRICULAR ACTIVITIES

| SCHOOL | DATE | ACTIVITY |
|---|---|---|
| Beery | 66-67 | Baseball |
| Beery | 66-67 | Basketball |
| BCCEP | 67-68 | BAND |
| Mason Frank | 68-69 | Football Rep Letter |
| Mason Frank | 69-76 | [illegible] |

## PUPIL'S EMPLOYMENT (Part-Time & Vacation)

| DATE | KIND OF WORK | REASON | REMARKS |
|---|---|---|---|

## OUT-OF-SCHOOL ACTIVITIES

| DATE | |
|---|---|

Exhibit 6 C continued



## RESIDENTIAL DATA

| SCHOOL | | DATE ENTERED | DATE WITHDRAWN | REASON | ADDRESS | PHONE | NAME AND ADDRESS OF PARENT OR GUARDIAN | TRANSFER CREDITS | SEMESTER HOURS EARNED STATE | SEMESTER HOURS EARNED LOCAL |
|---|---|---|---|---|---|---|---|---|---|---|
| Watkins | Elem. | 6-11-65 | | ☐ Reg. Prom. ☐ Sp. Prom. | 2749 Fairwood Ave. | 231-2199 | Parents | | | |
| | Junior | | | | | | | | | |
| | Junior | | | | | | | | | |
| | Junior | | | | | | | | | |
| | Junior | | | | | | | | | |
| Mason Frank Local | Junior | 8-67 | 8-2272 | Local H.S. | Daytime | | | | | |
| | Junior | 9-2272 | | | | | | | | |
| | Junior | | | | | | | | | |
| | Junior | | | | | | | | | |

## PARENTAL DATA

| | NAME | RACE | RELIGION | MARITAL STATUS | OCCUPATION | BUSINESS ADDRESS | BUSINESS PHONE | HOME PHONE |
|---|---|---|---|---|---|---|---|---|
| FATHER | Sutton, Floyd Rufus | | | M | Chauffeur | 2750 [illegible] | | |
| MOTHER (Natural name) | Long, Juanita - | | | M | Domicile | | | |
| STEP-PARENT | | | | | | | | |
| GUARDIAN | | | | | | | | |

## ATTENDANCE DATA

| SCHOOL | GRADE | DATE ENTERED | DAYS ENROLLED | DATE WITHDRAWN | DAYS ABSENT | NATURE OF ABSENCE | REMARKS (Record Here Cause for Withdrawal) |
|---|---|---|---|---|---|---|---|
| WATKINS | 8 | 9-65 | 0 | 122 | 3 | | |
| Beery Jr. | 7 | 9-65 | 0 | 141 | 0 | | |
| Beery Jr. | 8 | 9-66 | 0 | 179 | 23 | | |
| Beery Jr. H. | 9 | 9-67 | 2 | 122 | 8 | | |
| Mason Frank H. | 10 | 9-68 | 5 | 176 | 5 | | |
| Mason Frank H. | 11 | 9-69 | 3 | 174 | 3 | | |
| Mason Frank H. | 12 | 9-70 | 12 | 117 | 10 | | |
| " Local | 12 | 3-2272 | | | | | |

## COUNSELING RECORD*

| DATE | TYPE | REMARKS |
|---|---|---|

Exhibit 6 C continued

Exhibit 6 C continued

## TEST DATA

### INTELLIGENCE

| DATE | GRADE LEVEL | NAME OF TEST | FORM | TYPE | CA | MA | IQ VERBAL | IQ PERF. NON-VERB. | TOTAL | % TILE |
|---|---|---|---|---|---|---|---|---|---|---|
| 1-16-64 | 5 | Calif. Mental Mat. | S | | 12-1 | 10-4 | 78 | 91 | 85 | |
| 4-7-65 | 6 | Stanford-Binet | M | | 13-3 | 9-6 | | | 72 | |
| 4-7-65 | 6 | Peabody Picture Vocabulary | | | 13-3 | | | | 86 | |
| 12-66 | 8 | Goodenough Harris | M | 66 | | | | | 87 | |

### OTHER STANDARDIZED TESTS

| DATE | GRADE LEVEL | TYPE | NAME OF TEST | FORM | CITY WIDE YES | CITY WIDE NO | RESULTS |
|---|---|---|---|---|---|---|---|
| 4-1-65 | 6 | Read. | Stanford Achieve. | X | X | | Spel Lang 4.6 Tot Ave 6.7 |
| 4-1-65 | 6 | Arith. | " " | X | X | | |
| 4-66 | 7 | Read | Iowa Calif | A | | V | Voc 5.7 Read 5.6 Lang 5.0 |
| 11-66 | 8 | Arith | | A | V | | Prob Solv 5.0 Comp 5.0 |
| 12-66 | 8 | Lang | | M | V | | Prob Solv 7.3 Comp 7.3 |

ADDITIONAL TESTS RESULTS—COMMENTS

3-15-71 Needs test for school description

### PERSONALITY TRAITS

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| **INITIATIVE** | | | | | | | |
| Merely endorses | | | | | | | |
| Seldom initiates | | | | | | | |
| Frequently initiates | | | | | ✓ | ✓ | ✓ |
| Self-reliant | | | | | | | |
| Actively creative | | | | | | | |
| **WORK HABITS** | | | | | | | |
| Seldom produces | | | | | | | |
| Works only under pressure | | | | | | | |
| Needs emotional prodding | | | | | | | |
| Consistently prepared | ✓ | ✓ | ✓ | ✓ | | | |
| Seeks additional work | | | | | | | |
| **INFLUENCE AND LEADERSHIP** | | | | | | | |
| Negative | | | | | | | |
| Co-operative but retiring | | | | | | | |
| Contributing in minor efforts | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Contributes in important efforts | | | | | | | |
| Judgment requested—takes things p | | | | | | | |

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| **CONCERN FOR OTHERS** | | | | | | | |
| Indifferent | | | | | | | |
| Self-centered | | | | | | | |
| Somewhat socially concerned | | | | | | | |
| Generally concerned | ✓ | ✓ | ✓ | | ✓ | ✓ | |
| Deeply concerned | | | | | | | |
| **RESPONSIBILITY** | | | | | | | |
| Irresponsible | | | | | | | |
| Somewhat dependable | | | | | | | |
| Usually dependable | | | | ✓ | ✓ | ✓ | ✓ |
| Conscientious | | | | | | | |
| Assumes such responsibility | | | | | | | |
| **EMOTIONAL STABILITY** | | | | | | | |
| Unresponsive | | | | | | | |
| Excitable | | | | | | | |
| Usually well-balanced | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Exceptionally stable | | | | | | | |

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| **ATTITUDES TO SCHOOL REGULATIONS** | | | | | | | |
| Actively opposes regulations | | | | | | | |
| Indifferent | | | | | | | |
| Usually cooperates | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Follows regulations conscientiously | | | | | | | |
| An exemplary school citizen | | | | | | | |
| **PERSONAL APPEARANCE AND DRESS** | | | | | | | |
| Generally inappropriate | | | | | | | |
| Tendency to follow extreme trends | | | | | | | |
| Usually tidy | | | | | | | |
| Neat and dressed in good taste | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Exceptionally attractive appearance | | | | | | | |
| **ADDITIONAL COMMENTS** | | | | | | | |



Exhibit 6 C continued

## ELEMENTARY SUMMARY

NAME SUTTON, RANDOLPH RUEL M If From Watkins Elementary School
(LAST, FIRST, MIDDLE)

BIRTHPLACE Terre Haute, Indiana BIRTH DATE 12 29 51 (MO. DA. YR.) VALIDATION B.C.
(CITY OR COUNTY, STATE)

### GENERAL ACADEMIC RATING

| | |
|---|---|
| Excellent | |
| Above Average | |
| Average | |
| Below Average | ✓ |
| Poor | |

### SPECIAL APTITUDES

### HEALTH DATA

| | | | |
|---|---|---|---|
| Asthma | | Heart | |
| Brain damage | | Hernia | |
| Crippled | | Kidney | |
| Diabetes | | Rheumatic Fever | |
| Epilepsy | | Speech | |
| Hearing | | Vision | |

### SPECIAL RECOMMENDATIONS

### EXTRA-CURRICULAR ACTIVITIES, RECOGNITIONS

### SERIOUS ILLNESS—ACCIDENTS

| DATE | | DATE |
|---|---|---|
| | | |
| | | |
| | | |

NOTE: The elementary school will provide test data, parental data and initial information on pages 2 and 3 as indicated.

ADDITIONAL INFORMATION (to be dated and signed)

ELEMENTARY

SECONDARY

### IMMUNIZATIONS

| TYPE | | DATE |
|---|---|---|
| Smallpox | | 1956 |
| D.P.T. | 1. | |
| | 2. | |
| | 3. | 1956 |
| | B. | |
| Polio | 1. | |
| | 2. | |
| | 3. | 1961 |
| | | |
| | | |

## EXHIBIT 7 A

**Superintendent of Schools - Harold H. Eibling**

**MARION - FRANKLIN HIGH SCHOOL**
**1265 Koebel Road, Columbus, Ohio 43207**

March 16, 1971

Mr. & Mrs. William Vance
1588 Burley Drive
Columbus, Ohio

Dear Parents:

I have suspended Tyrone, your son, from Marion-Franklin High School until Thursday, March 25. The Pupil Personnel Department of the Columbus Board of Education will notify you concerning a disposition of this case.

Tyrone was involved in a disturbance at school on Monday, March 15. He defiantly refused to follow the directions of the principal. Furthermore, he created an explosive situation.

During the suspension period, your son is to remain at home during school hours, and not attend Marion-Franklin athletic events or other school sponsored activities during the day or evening. If there are any questions, please phone me at school.

Sincerely,

OSCAR R. GILL
Assistant Principal



## EXHIBIT 7 B

**COLUMBUS PUBLIC SCHOOLS**
**ACADEMIC RECORD**

_____ SENIOR HIGH SCHOOL
(To be Retained)

NAME Washington (last) Tyrone (first) Lionel (middle) HOME ROOM 24

ADDRESS 1588 Burley Dr. PHONE 491-0769

RESIDES WITH William & Dolley Vance RELATIONSHIP parents

| | DATE | REASON |
|---|---|---|
| WITHDRAWN | 3-19-70 | To Marion Franklin |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |

**TRANSCRIPT RECORD**

| DATE | SENT TO | COMMENTS |
|---|---|---|
| 2-17-70 | UA Adams Court | |
| 4-1-70 | Marion Franklin | |
| | | |
| | | |
| | | |
| | | |
| | | |

PHOTO

Indicate below the name of one adult, other than parent, who will probably know the pupil's residence for two years following graduation.

NAME _____

ADDRESS _____

PHONE _____

## Exhibit 7 B continued

_____ HIGH SCHOOL COLUMBUS, OHIO

CERTIFICATE OF CREDIT

NAME: Washington Tyrone Leonard ADDRESS: 1588 Burley Dr.

SEX: M DATE OF BIRTH: 4-2-52 PLACE OF BIRTH: Springfield Ohio

PARENT OR GUARDIAN: William & Betty Vance

DATE ENTERED: _____ ADMITTED FROM: Marion-Franklin

☐ WAS NOT GRADUATED ☒ WAS GRADUATED DATE OF DIPLOMA: JUN 6 1971

NUMBER IN GRADUATING CLASS: 311 RANK IN CLASS: 145 AS COMPUTED June 1971

POINT AVERAGE: 1.861 AS COMPUTED: June 1971 Jacie N. Hill

| SUBJECT | Years in School | Periods per Week | Weeks per Term | Middle Years | Final Years | | | | Credit Earned |
|---|---|---|---|---|---|---|---|---|---|
| **LANGUAGE ARTS** | | | | | | | | | |
| English I (9) | 1 | 40 | | K 68 | C | | | | 1 |
| II (10) | 1 | 40 | | K 69 | C | | | | 1 |
| III (11) | 1 | 40 | | K 70 | C | | | | 1 |
| English Literature & Composition | 1 | 40 | | | | | | | |
| Cont. Literature & Composition | 1 | 40 | | | | | | | |
| Business English | 1 | 40 | | S 71 | C | | | | .5 |
| Dramatics (9) | 1 | 40 | | K 68 | B | | | | .5 |
| Journalism | 1 | 40 | | | | | | | |
| Speech I (9) Oral Skills and Techniques | 1 | 40 | | S 71 | C | | | | .5 |
| Speech II (Debate) | 1 | 40 | | S 71 | C | | | | .5 |
| **SOCIAL STUDIES** | | | | | | | | | |
| World History | 1 | 40 | | K 69 | D | | | | 1 |
| American History | 1 | 40 | | K 70 | C | | | | 1 |
| Principles of Democracy | 1 | 40 | | S 71 | B | | | | .5 |
| Current History | 1 | 40 | | S 71 | B | | | | .5 |
| | 1 | 40 | | | | | | | |
| Geography | 1 | 40 | | | | | | | |
| | 1 | 40 | | | | | | | |

| SUBJECT | Years in School | Periods per Week | Weeks per Term | Middle Years | Final Years | | | | Credit Earned |
|---|---|---|---|---|---|---|---|---|---|
| **MATHEMATICS** | | | | | | | | | |
| General Mathematics | 1 | 40 | | K 68 | C | | | | 1 |
| Shop Mathematics | 1 | 40 | | | | | | | |
| Algebra I | 1 | 40 | | K 69 | F | | | | |
| Algebra II | 1 | 40 | | | | | | | |
| Geometry (Plane & Solid) | 1 | 40 | | | | | | | |
| Trigonometry | 1 | 40 | | | | | | | |
| Analytical Geometry | 1 | 40 | | | | | | | |
| Advanced Mathematics V | 1 | 40 | | | | | | | |
| Boolar Review Arithmetic | 1 | 40 | | | | | | | |
| Basic Math III | 1 | 40 | | K 70 | C | | | | 1 |
| **SCIENCE** | | | | | | | | | |
| General Science I | 1 | 40 | | K 68 | C | | | | 1 |
| Physical Science II | 1 | 40 | | | | | | | |
| Biology I | 1 | 40 | | K 69 | C | | | | 1 |
| Biology II | 1 | 40 | | | | | | | |
| Chemistry | 1 | 40 | | | | | | | |
| Physics | 1 | 40 | | | | | | | |
| **FOREIGN LANGUAGE** | | | | | | | | | |
| French I | 1 | 40 | | | | | | | |
| II | 1 | 40 | | | | | | | |
| III | 1 | 40 | | | | | | | |
| IV | 1 | 40 | | | | | | | |
| V | 1 | 40 | | | | | | | |
| German I | 1 | 40 | | | | | | | |
| II | 1 | 40 | | | | | | | |
| III | 1 | 40 | | | | | | | |
| IV | 1 | 40 | | | | | | | |
| V | 1 | 40 | | | | | | | |
| Latin I | 1 | 40 | | | | | | | |
| II | 1 | 40 | | | | | | | |
| III | 1 | 40 | | | | | | | |



## Exhibit 7 B continued

| SUBJECT | Years in School | Periods per Week | Weeks per Term | Middle Years | Final Years | | | | Credit Earned |
|---|---|---|---|---|---|---|---|---|---|
| Latin IV | 1 | 40 | | | | | | | |
| V | 1 | 40 | | | | | | | |
| Russian I | 1 | 40 | | | | | | | |
| II | 1 | 40 | | | | | | | |
| III | 1 | 40 | | | | | | | |
| IV | 1 | 40 | | | | | | | |
| V | 1 | 40 | | | | | | | |
| Spanish I | 1 | 40 | | | | | | | |
| II | 1 | 40 | | | | | | | |
| III | 1 | 40 | | | | | | | |
| IV | 1 | 40 | | | | | | | |
| V | 1 | 40 | | | | | | | |
| **BUSINESS EDUCATION** | | | | | | | | | |
| General Business | 1 | 40 | | K 68 | B | | | | 1 |
| Business Arithmetic | 1 | 40 | | | | | | | |
| Typing I | 1 | 40 | | K 69 | B | | | | .5 |
| II | 1 | 40 | | S 71 | B | | | | .5 |
| III | 1 | 40 | | | | | | | |
| Shorthand I | 1 | 40 | | | | | | | |
| II | 1 | 40 | | | | | | | |
| Bookkeeping I | 1 | 40 | | | | | | | |
| II | 1 | 40 | | | | | | | |
| Business Law | 1 | 40 | | | | | | | |
| Consumer Economics | 1 | 40 | | | | | | | |
| Business Machines | 1 | 40 | | | | | | | |
| Office Practice | 1 | 40 | | | | | | | |
| General Sales | 1 | 40 | | K 70 | C | | | | 1 |
| Retail Sales | 1 | 40 | | | | | | | |
| Distributive Education | | 40 | | | | | | | |
| ART I | | | | | | | | | |
| II | | | | | | | | | |
| III | | | | | | | | | |
| IV | | | | | | | | | |
| PHYSICAL EDUCATION I | | | | K 68 | B | | | | .5 |
| II | | | | K 69 | C | | | | .5 |
| III | | | | K 70 | Mod | Ab | | | .5 |
| IV | | | | | | | | | .5 |
| HEALTH EDUCATION | | 2 | W | K 70 | C | | | | .5 |
| SAFETY EDUCATION | | | | | | | | | |
| **HOME ECONOMICS—INDUSTRIAL ARTS** Write in the specific subject area and the level of work (I, II, etc.) | | | | | | | | | |
| SUBJECT AREA | | | | | | | | | |
| Example: Wood | I | | | | | | | | |
| Mech DR | | W | | K 68 | C | | | | .5 |

| Date | Total Credits | Teacher | Years Taken |
|---|---|---|---|
| 6-70 | 12.5 | Marion Franklin | |
| 6/71 | 13.0 | E Zgonena | 9-11 |

This high school is accredited by the North Central Association of Colleges and Secondary Schools.

Graduation requirements: 16 units of credit plus Health and Physical Education.

Length of class period: minimum of 40 minutes.

GRADE CODE: A—Excellent; B—Good; C—Average; D—Poor; F—Failing

S (Yrs) LEAVE: ☐ 9th ☐ 10th ☐ 11th ☐ 12th

Exhibit 7 B continued

NAME WASHINGTON (Last) Tyrone (First) Dennis (Middle) M F

HOME ROOM 211 211 1 107 211

GRADE LEVEL 7 8 10 11 12

PROMOTED FROM Main Street ELEMENTARY SCHOOL—DATE 6/65

GRADUATED FROM JUNIOR HIGH SCHOOL—DATE

GRADUATED FROM East SENIOR HIGH SCHOOL—DATE 6-71

**CUMULATIVE PERSONAL RECORD**
Columbus, Ohio, Public Schools
(To follow pupil)

IN CASE OF EMERGENCY NOTIFY:
(If Parent Not Available)
NAME Julian Washington
ADDRESS PHONE
NAME Mabel Washington
ADDRESS PHONE 444-7074
(Note: Use Pencil For Above)

**HONORS AND RECOGNITIONS**

| SCHOOL | DATE | RECOGNITION |
|---|---|---|
| Franklin Jr | 5-67 | Track Team |
| | | |
| | | |
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| | | |

**EXTRA-CURRICULAR ACTIVITIES**

| SCHOOL | DATE | ACTIVITY |
|---|---|---|
| Franklin | 1966-67 | Track Club |
| | | |
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| | | |

**PUPIL'S EMPLOYMENT (Part-Time & Vacation)**

| DATE | KIND OF WORK | HOURS* | REMARKS |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
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**OUT-OF-SCHOOL ACTIVITIES**

| DATE | |
|---|---|
| | |
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| | |
| | |
| | |



Exhibit 7 B continued

**RESIDENTIAL DATA**

| SCHOOL | | GRADE ENTERED | GRADE WITHDRAWN | ADDRESS | RESIDENCE | PHONE | PARENT OR GUARDIAN | TEACHER | PROMOTED STATE | PROMOTED CONDITIONAL |
|---|---|---|---|---|---|---|---|---|---|---|
| Main St | Elem | 1/65 | 6/67 | Mailing Perm. ☐ No Perm. | 1539 E Rich St | | | | | |
| Franklin | Junior | 9-65 | | | 1515 E Rich St | | | | | |
| | Junior | | | | | | | | | |
| | Junior | | | | | | | | | |
| East High School | Senior | 9-67 | 5-68 | Mailing Perm. | Same | Work | Parents | | | |
| M-F | Senior | 3-69 | 3-1971 | Graduate | | | | | | |
| | Senior | | 6-71 | GRADUATE | | | | | | |
| | Senior | | | | | | | | | |

**PARENTAL DATA**

| | LAST | FIRST | MIDDLE | MARITAL STATUS | OCCUPATION | BUSINESS ADDRESS | BUSINESS PHONE | HOME PHONE |
|---|---|---|---|---|---|---|---|---|
| FATHER | Washington | John | W | Div | | | | |
| MOTHER (Maiden name) | | Willie | | M | | | | |
| STEP-PARENT | Banks | Willie | | M | Unemp | | | |
| GUARDIAN | | | | | | | | |
| | | | | | | | | |

**ATTENDANCE DATA**

| SCHOOL | GRADE | DAYS ABSENT | TIMES TARDY | DAYS PRESENT | TIMES PRESENT | NUMBER OF SEMESTERS | CAUSE OF REPEATED ABSENCE OR TARDINESS |
|---|---|---|---|---|---|---|---|
| Main St | 1 | 3 | 2 | 144½ | 172 | | 1 |
| Franklin Jr High | 7 | 9 | 9 | 170 | 93 | | 7 |
| | 8 | 9½ | 25 | 190 | 172 | 1 | |
| | 9 | 20 | 18 | 136 | 203 | 1 | Poor |
| Linden | 10 | 10 | 16 | 140 | 69½ | 1 | |
| | 11 | 7 | 18 | 132 | 54 | | (D to F) |
| Walnut Township | 11 | 8½ | 5 | 97½ | 73½ | | |
| | 12 | 5½ | 2 | 108½ | 21½ | | |
| East | 12 | 5½ | 5 | 80 | 11 | | |

**COUNSELING RECORD***

| DATE | TYPE | COUNSELOR |
|---|---|---|
| | | |
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*Types of Counseling Data
1. Educational 2. Personal
3. Vocational 4. Other

*Types of Absence Data: Use the 10 or more days - several medium size spells

1. Illness 2. Personal Illness 3. Truancy 4. Suspension
5. Confinement 6. Family Illness 7. Out of Town 8. Religion

Exhibit 7 B continued

## TEST DATA

### INTELLIGENCE

| DATE | GRADE | NAME OF TEST | FORM | TYPE | IQ | MA | YEARS | MONTHS | TOTAL | % RANK |
|---|---|---|---|---|---|---|---|---|---|---|
| 1-15-47 | 6 | Calif. M.M. | S | Gp. | | | | | 99 | |
| 2-5-48 | 8 | Kuhlmann-Anderson | A | Gp. | | | | | 19 | |

### OTHER STANDARDIZED TESTS

| DATE | GRADE | TYPE | NAME OF TEST | FORM | CITY NORM YES | CITY NORM NO | RESULTS |
|---|---|---|---|---|---|---|---|
| 1-31-46 | 6 | Gp. | Stanford Achi. | X | ✓ | | Read. Word Mn. 57 |
| 1-31-46 | 6 | Gp. | " " | X | ✓ | | Arith. Comp. 68 |
| | | | | | | | Com. Vo. Arith. 61 |

### PERSONALITY TRAITS

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| **INITIATIVE** | | | | | | | |
| Rarely conforms | | | | | | | |
| Seldom initiates | | | | | | | |
| Frequently initiates | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Self-reliant | | | | | | | |
| Actively creative | | | | | | | |
| **WORK HABITS** | | | | | | | |
| Seldom produces | | | | | | | |
| Works only under pressure | | | | | | | |
| Needs vocational guidance | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Considerably organized | | | | | | | |
| Seeks additional work | | | | | | | |
| **INFLUENCE AND LEADERSHIP** | | | | | | | |
| Negative | | | | | | | |
| Co-operative but retiring | | | | | | | |
| Contributing to minor efforts | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Contributes to important efforts | | | | | | | |
| Judgment requested - takes things up | | | | | | | |

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| **CONCERN FOR OTHERS** | | | | | | | |
| Indifferent | | | | | | | |
| Self-centered | | | | | | | |
| Somewhat socially concerned | ✓ | ✓ | ✓ | ✓ | ✓ | | |
| Generally concerned | | | | | | ✓ | |
| Deeply concerned | | | | | | | |
| **RESPONSIBILITY** | | | | | | | |
| Irresponsible | | | | | | | |
| Somewhat dependable | ✓ | ✓ | ✓ | | | | |
| Usually dependable | | | | ✓ | ✓ | ✓ | |
| Conscientious | | | | | | | |
| Assumes much responsibility | | | | | | | |
| **EMOTIONAL STABILITY** | | | | | | | |
| Unresponsive | | | | | | | |
| Excitable | | | | | | | |
| Usually well-balanced | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Exceptionally stable | | | | | | | |

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| **ATTENTION TO SCHOOL REGULATIONS** | | | | | | | |
| Actively opposes regulations | | | | | | | |
| Indifferent | | | | | | | |
| Usually cooperates | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Follows regulations conscientiously | | | | | | | |
| An exemplary school citizen | | | | | | | |
| **PERSONAL APPEARANCE AND HABITS** | | | | | | | |
| Generally inappropriate | | | | | | | |
| Tendency to follow extreme trends | | | | | | | |
| Usually tidy | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Neat and dressed in good taste | | | | | | | |
| Exceptionally attractive appearance | | | | | | | |
| **ADDITIONAL COMMENTS** | | | | | | | |

Exhibit 7 B continued



## ELEMENTARY SUMMARY

NAME WASHINGTON (Last) Dyrone (First) Bennett (Middle) M (Sex) From Main St. Elementary School

BIRTHPLACE Springfield (City or Town) Ohio (State) BIRTH DATE 4 (Mo.) 2 (Da.) 52 (Yr.) VALIDATION Birth Certificate

### GENERAL ACADEMIC RATING

| | |
|---|---|
| Excellent | |
| Above Average | |
| Average | ✓ |
| Below Average | |
| Poor | |

### SPECIAL APTITUDES

### HEALTH DATA

| | | | |
|---|---|---|---|
| Asthma | | Nasal | |
| Brain damage | | Nevrosis | |
| Cripples | | Kidney | |
| Diabetes | | Rheumatic Fever | |
| Epilepsy | | Speech | |
| Hearing | | Vision | |

### SPECIAL RECOMMENDATIONS

### EXTRA-CURRICULAR ACTIVITIES, RECOGNITIONS

### SERIOUS ILLNESS—ACCIDENTS

| | DATE | | DATE |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |

NOTE: The elementary school will provide test data, personal data and initial information on pages 2 and 3 as indicated.

ADDITIONAL INFORMATION (to be dated and signed)

ELEMENTARY

SECONDARY

### IMMUNIZATIONS

| TYPE | | DATE |
|---|---|---|
| Smallpox | | [illegible] |
| D.P.T. | 1. | [illegible] |
| | 2. | [illegible] |
| | 3. | [illegible] |
| | B. | [illegible] |
| Polio | 1. | |
| | 2. | [illegible] |
| | 3. | |
| | | |
| | | |
| | | |
| other school | | |

**EXHIBIT 7 B continued**

March 16, 1971

Mr. & Mrs. William Vance
1588 Burley Drive
Columbus, Ohio

Dear Parents:

I have suspended Tyrone, your son, from Marion-Franklin High School until Thursday, March 25. The Pupil Personnel Department of the Columbus Board of Education will notify you concerning a disposition of this case.

Tyrone was involved in a disturbance at school on Monday, March 15. He defiantly refused to follow the directions of the principal. Furthermore, he created an explosive situation.

During the suspension period, your son is to remain at home during school hours, and not attend Marion-Franklin athletic events or other school sponsored activities during the day or evening. If there are any questions, please phone me at school.

Sincerely,

Oscar R. Gill
Assistant Principal

CC: Mr. C. L. Dumaree
Mr. H. M. Williams
Mr. Philip Fulton
Mr. Richard Kollmer



**EXHIBIT 8 A**

**Superintendent of Schools - Harold H. Eibling**

**MARION - FRANKLIN HIGH SCHOOL**
**1265 Koebel Road, Columbus, Ohio 43207**

March 15, 1971

Mr. & Mrs. Clarence L. Byars
1492 Venice Drive
Columbus, Ohio

Dear Parents:

I have suspended Clarence from Marion-Franklin High School until Thursday, March 18. I will reserve 9:00 a.m. on this day for a conference with you and your son.

Clarence refused to go to class as directed, was disrespectful with the principal, and was inciting a school disruption.

During the suspension period, your son is to remain at home during school hours, and not attend Marion-Franklin athletic events or other school sponsored activities during the day or evening. If there are any questions, please phone me at school.

Sincerely,

Richard Kollmer
Assistant Principal

# EXHIBIT 8 B

## COLUMBUS PUBLIC SCHOOLS

## ACADEMIC RECORD

Marion-Franklin SENIOR HIGH SCHOOL

(To be Retained)

NAME Byars Clarence Lee HOUSE ROOM

ADDRESS 1492 Venice Dr PHONE 274-6765

RESIDES WITH Mother & Foster RELATIONSHIP

| | DATE | REASON |
|---|---|---|
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |

### TRANSCRIPT RECORD

| DATE | SENT TO | COMMENTS |
|---|---|---|
| 1-10-72 | Marietta College | |
| 2-2-72 | Columbus Urban League | |
| 2-29-72 | Hartford College | |
| 5-9-72 | Franklin U. | |
| 6-26-72 | Kenyon Inst. for Coll. | |
| 7-27-72 | Tuskegee Institute | |
| 8-9-73 | Tuskegee Inst. Alabama | |
| 8-9-73 | Franklin U | |

Indicate below the name of one adult, other than parent, who will probably know the pupil's residence for two years following graduation.

NAME

ADDRESS

PHONE



# Exhibit 8 B continued

Franklin 1 HIGH SCHOOL COLUMBUS, OHIO

CERTIFICATE OF CREDIT

NAME Byars Clarence Lee ADDRESS 1492 Venice Dr.

SEX M DATE OF BIRTH 7 4 54 PLACE OF BIRTH Columbus Ohio

PARENT OR GUARDIAN Clarence & Barbara Foster

DATE ENTERED 9-69 ADMITTED FROM

☐ WAS NOT GRADUATED ☒ WAS GRADUATED DATE OF DIPLOMA 6-11-72

NUMBER IN GRADUATING CLASS 328 RANK IN CLASS 94 AS COMPUTED 1-72

POINT AVERAGE 2.559 AS COMPUTED 1-72 Philip S. Fulton PRINCIPAL

| SUBJECT | | | | | | | | | SUBJECT | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| LANGUAGE ARTS | | | | | | | | | ARTS | | | | | | | | |
| English I | 9 | 1 | 40 | 6-69 | C | | | 1 | Fine Arts | | 1 | 40 | | | | | |
| II | 10 | 1 | 40 | 6-70 | B | | | 1 | Art Appreciation | | 1 | 40 | | | | | |
| III | 11 | 1 | 40 | 6-71 | C | | | 1 | Algebra I | 9 | 1 | 40 | 6-69 | B | | | 1 |
| IV | 12 | 1 | 40 | 6-72 | C | | | 1.0 | Algebra II | | 1 | 40 | 6-70 | C | | | 1 |
| English Literature & Composition | | 1 | 40 | | | | | | Geometry (Plane & Solid) | | 1 | 40 | 6-70 | C | | | 1 |
| Amer. Literature & Composition | | 1 | 40 | | | | | | Trigonometry | | 1 | 40 | | | | | |
| Literature English | | 1 | 40 | | | | | | Analytical Geometry | | 1 | 40 | | | | | |
| | | | | | | | | | Advanced Mathematics II | | 1 | 40 | | | | | |
| Journalism III | | 1 | 40 | | | | | | Modern Business Arithmetic | | 1 | 40 | | | | | |
| Journalism | | 1 | 40 | | | | | | | | | | | | | | |
| Speech I (Public, Radio and Televisional | | 1 | 40 | | | | | | | | | | | | | | |
| Speech II Dramatics | | 1 | 40 | | | | | | | | | | | | | | |
| | | | | | | | | | SCIENCE | | | | | | | | |
| | | | | | | | | | General Science I | | 1 | 40 | 6-69 | A | | | 1 |
| | | | | | | | | | Physical Science II | | 1 | 40 | | | | | |
| SOCIAL STUDIES | | | | | | | | | Biology I | | 1 | 40 | 8-70 | A | | | 1.0 |
| World History | | 1 | 40 | 6-69 | C | | | 1.0 | Biology II | | 1 | 40 | | | | | |
| American History | | 1 | 40 | 6-70 | B | | | 1 | Chemistry | | 1 | 40 | | | | | |
| Principles of Democracy | | 1 | 40 | 6-71 | B | | | 1 | Physics | | 1 | 40 | | | | | |
| General History | | 1 | 20 | | | | | | Physical Ed. | | 1 | 40 | 6-72 | C | | | 1.0 |
| | | 1 | 20 | | | | | | FOREIGN LANGUAGE | | | | | | | | |
| | | | | | | | | | French I | | 1 | 40 | | | | | |
| | | | | | | | | | II | | 1 | 40 | | | | | |
| Geography | | 1 | 20 | | | | | | III | | 1 | 40 | | | | | |
| | | 1 | 20 | | | | | | IV | | 1 | 40 | | | | | |
| | | | | | | | | | V | | 1 | 40 | | | | | |
| | | | | | | | | | German I | | 1 | 40 | | | | | |
| | | | | | | | | | II | | 1 | 40 | | | | | |
| | | | | | | | | | III | | 1 | 40 | | | | | |
| | | | | | | | | | IV | | 1 | 40 | | | | | |
| | | | | | | | | | V | | 1 | 40 | | | | | |
| | | | | | | | | | Latin I | | 1 | 40 | 6-71 | C | | | 1 |
| | | | | | | | | | II | | 1 | 40 | 6-72 | C | | | 1.0 |
| | | | | | | | | | III | | | | | | | | |

*Write S for Semester John Harvard or M for modified. Use blank if regular.

**Exhibit 8 B continued**

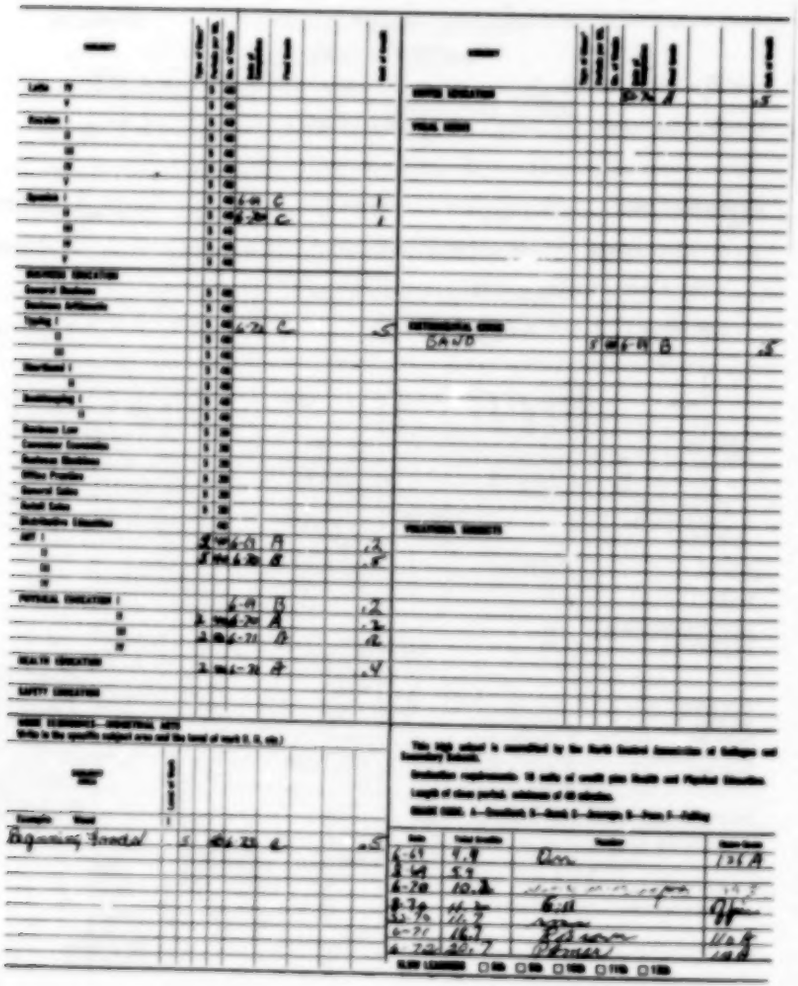




**EXHIBIT 8 B continued**

March 15, 1971

Mr. & Mrs. Clarence L. Byars
1492 Venice Drive
Columbus, Ohio

Dear Parents:

I have suspended Clarence from Marion-Franklin High School until Thursday, March 18. I will reserve 9:00 a.m. on this day for a conference with you and your son.

Clarence refused to go to class as directed, was disrespectful with the principal, and was inciting a school disruption.

During the suspension period, your son is to remain at home during school hours, and not attend Marion-Franklin athletic events or other school sponsored activities during the day or evening. If there are any questions, please phone me at school.

Sincerely,

RICHARD KOLLMER
Assistant Principal

CC: Mr. C. L. Dumaree
Mr. H. M. Williams
Mr. Philip Fulton
Mr. Oscar Gill

# CUMULATIVE PERSONAL RECORD

Columbus, Ohio, Public Schools

(To follow pupil)

NAME [illegible] CLARENCE [illegible] SEX M

HOME ROOM 207 [illegible] 207 [illegible] LMC

GRADE LEVEL 7 8 9 10 11 12

PROMOTED FROM CLAYFIELD 9th

GRADUATED FROM Beery — ELEMENTARY SCHOOL—DATE

GRADUATED FROM Marion-Franklin — JUNIOR HIGH SCHOOL—DATE 6-69

SENIOR HIGH SCHOOL—DATE 6-11-72

IN CASE OF EMERGENCY NOTIFY:
(If Parent Not Available)

NAME Mrs Hurst

ADDRESS [illegible] PHONE [illegible]

NAME

ADDRESS PHONE

(Note: Use Pencil For Above)

## HONORS AND RECOGNITIONS

| SCHOOL | DATE | RECOGNITION |
|---|---|---|
| Clayfield | 1965-66 | School Patrol |
| Beery | 66-67 | |
| Beery | 67-68 | Flag Award |
| | | Athletic Letter (track) |
| | | Scholarship award (Top Scholar) |
| M-F | [illegible] | [illegible] |
| M-F | 70-71 | |
| [illegible] | 71-72 | Pres. of Hi-Y, Black Culture Club |
| | 71-72 | Football Letter |
| | 71-72 | 3 year track award |

## EXTRA-CURRICULAR ACTIVITIES

| SCHOOL | DATE | ACTIVITY |
|---|---|---|
| Beery | 66-67 | Band |
| | | Track Team |
| Beery | 67-68 | Track Team |
| | | Final Music Band |
| | | Pep Club |
| | | Gym Helper |
| Beery | 68-69 | Band - Orchestra |
| " | " " | Track Team |
| M-F | 3-70 | Trip To Spain |
| [illegible] | [illegible] | [illegible] |
| [illegible] | [illegible] | [illegible] |
| [illegible] | [illegible] | [illegible] |

## PUPIL'S EMPLOYMENT (Part-Time & Vacation)

| DATE | KIND OF WORK | HOURS | REMARKS |
|---|---|---|---|
| 71 | Helper Lawn / yard Crew | | |

## [illegible] ACTIVITIES

| DATE | |
|---|---|
| M-F 70-71 | Track, Football, Varsity Track, Varsity Ch. Club & Hi-Y, Football Letter |
| M-F 71-72 | Football, Varsity Track, Hi-Y, 3 year Track award, Black Culture Club, Medieval History Seminar & Club |





## RESIDENTIAL DATA

| SCHOOL | | DATE ENTERED | DATE WITHDRAWN | REASON | RESIDENCE | PHONE | ADDRESS WITH (RELATIONSHIP) | TUITION (Yes/No) | NON-RESIDENT STATE | NON-RESIDENT COUNTY |
|---|---|---|---|---|---|---|---|---|---|---|
| Clayfield | Elem. | 9-65 | | ☐ Reg. From ☐ Sp. From | 1492 Venice Dr. | 491-1365 | Mother & Step. | | | |
| Beery | Junior | 9-66 | 6-69 | Reg. From | " | " | " | | | |
| | Junior | | | | | | | | | |
| | Junior | | | | | | | | | |
| | Junior | | | | | | | | | |
| MARION [illegible] | Junior | 8-69 | | | | | | | | |
| | Junior | | | | | | | | | |
| | Junior | | | | | | | | | |
| | Junior | | | | | | | | | |

## PARENTAL DATA

| | LAST | FIRST | MIDDLE | MARITAL STATUS | OCCUPATION | BUSINESS ADDRESS | BUSINESS PHONE | RESIDENCE PHONE |
|---|---|---|---|---|---|---|---|---|
| FATHER | Beery, | Clarence | | D | | | | |
| MOTHER (Maiden name) | | Barbara Lowery | | | Secty | B.B.C. | 228-4492 | Dec. 444 |
| STEP-PARENT | Foster | Clarence | | | | | 276-26 | 772 |
| GUARDIAN | | | | | | | | |

## ATTENDANCE DATA

| SCHOOL | GRADE | DATE ENTERED | TIMES TARDY | DAYS PRESENT | DAYS ABSENT | NATURE OF ABSENCE | COMMENTS (Excessive Absence Explanation) |
|---|---|---|---|---|---|---|---|
| Clayfield | 6 | 9-65 | | | | | |
| Beery Jr. | 7 | 9-66 | 0 | 181 | 1 | 211 | |
| Beery Jr. | 8 | 9-67 | 0 | 180 | 6 | 1 1/2 | |
| | 9 | 9-68 | 3 | 179 | 5 | 5 | |
| [illegible] | 10 | 9-69 | 1 | 172 | 12 | | |
| A. [illegible] | 11 | 9-70 | 11 | 163 | 12 | 2 | Ill. Out of Region |
| | | 9-71 | 2 | 169 | 12½ | 5 | |

## COUNSELING RECORD*

| DATE | TYPE | COUNSELOR |
|---|---|---|

*Type of Counseling Code:
1. Educational 2. Personal
3. Vocational 4. Other

## TEST DATA

### INTELLIGENCE

| | DATE | GRADE | NAME OF TEST | FORM | TYPE | CA | MA | I.Q. VERB. | I.Q. PERF. | TOTAL | % TILE |
|---|---|---|---|---|---|---|---|---|---|---|---|
| SCHOOL | 9-43 | 3 | Bullgarn Anderson | | | 7-6 | 6-7 | | | 87 | |
| | 10-44 | 5 | Calif. T. M. | B | G | 10-6 | | | | 109 | |
| | 9-45 | 6 | " " " | A | G | | | | | 99 | |
| COMMENTS | | | | | | | | | | | |

### OTHER STANDARDIZED TESTS

| | DATE | GRADE | TYPE | NAME OF TEST | FORM | CITY WIDE YES | CITY WIDE NO | RESULTS |
|---|---|---|---|---|---|---|---|---|
| SCHOOL | 9-43 | 3 | Arith | Friend of Arith. | I | x | | 21/50 |
| | 10-43 | 3 | Read | Met. Read. Arith. | A | x | | 26-36 Raw Score |
| | 3-45 | 5 | Arith | Stanford Arith | M | x | | Arith 4.8 Read 4.5 |
| | 4-46 | 6 | Read | Stanford Arith | I | ✓ | | Read 2: 3 Arith 6.0 |
| COMMENTS | | | | | | | | |

ADDITIONAL TESTS RESULTS—COMMENTS

| | | |
|---|---|---|
| #YARS | CLARENCE L | 8B |
| 300 380 0371 AH46BM1470 | | 11 |

### PERSONALITY TRAITS

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| **INITIATIVE** | | | | | | | |
| Rarely conforms | | | | | | | |
| Seldom initiates | | | | | | | |
| Frequently initiates | ✓ | ✓ | | | | | |
| Self-reliant | | | ✓ | ✓ | ✓ | ✓ | ✓ |
| Actively creative | | | | | | | |
| **WORK HABITS** | | | | | | | |
| Solves problems | | | | | | | |
| Works only under pressure | | | | | | | |
| Needs occasional prodding | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ |
| Consistently prepared | | | ✓ | | | | |
| Seeks additional work | | | | | | | |
| **INFLUENCE AND LEADERSHIP** | | | | | | | |
| Negative | | | | | | ✓ | |
| Non-operative but willing | | | | | | | |
| Contributing in minor efforts | ✓ | ✓ | | ✓ | ✓ | | ✓ |
| Contributes in important efforts | | | ✓ | | | | |
| Judgment regarded - seeks things up | | | | | | | |

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| **CONCERN FOR OTHERS** | | | | | | | |
| Indifferent | | | | | | | |
| Self-centered | | | | | | | |
| Somewhat socially concerned | ✓ | ✓ | | | | | |
| Generally concerned | | | ✓ | ✓ | ✓ | ✓ | ✓ |
| Deeply concerned | | | | | | | |
| **RESPONSIBILITY** | | | | | | | |
| Irresponsible | | | | | | ✓ | |
| Somewhat dependable | ✓ | | | | | | |
| Usually dependable | | ✓ | | | | | |
| Conscientious | | | ✓ | ✓ | ✓ | | ✓ |
| Assumes much responsibility | | | | | | | |
| **EMOTIONAL STABILITY** | | | | | | | |
| Unresponsive | | | | | | | |
| Excitable | | | | | | | |
| Usually well-balanced | ✓ | ✓ | | ✓ | ✓ | ✓ | ✓ |
| Exceptionally stable | | | ✓ | | | | |

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| **ATTENTION TO SCHOOL REGULATIONS** | | | | | | | |
| Actively opposes regulations | | | | | | | ✓ |
| Indifferent | | | | | | | |
| Usually cooperative | ✓ | | | ✓ | | | |
| Follows regulations conscientiously | | ✓ | ✓ | | ✓ | | ✓ |
| An exemplary school citizen | | | | | | | |
| **PERSONAL APPEARANCE AND HABITS** | | | | | | | |
| Generally inappropriate | | | | | | | |
| Tendency to follow extreme trends | | | | | | | |
| Usually tidy | ✓ | | | | | | |
| Neat and dressed in good taste | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Exceptionally attractive appearance | | | | | | | |
| **ADDITIONAL COMMENTS** | | | | | | | |

Exhibit 8 B continued



## ELEMENTARY SUMMARY

NAME HYARS (LAST) CLARENCE (FIRST) LEE Jr. (MIDDLE) XXXX M (SEX) From CLAUFIELD Elementary School

BIRTHPLACE Columbus, Ohio (CITY OR COUNTY) (STATE) BIRTH DATE 3-24-34 (MO. DA. YR.) VALIDATION Vital Stat.

### GENERAL ACADEMIC RATING

| | |
|---|---|
| Excellent | |
| Above Average | |
| Average | |
| Below Average | |
| Poor | |

### SPECIAL APTITUDES

| | |
|---|---|
| | |
| | |
| | |

### HEALTH DATA

| | | | |
|---|---|---|---|
| Asthma | | Heart | |
| Birth damage | | Hernia | |
| Crippled | | Kidney | |
| Diabetes | | Rheumatic Fever | |
| Epilepsy | | Speech | |
| Hearing | | Vision | |

### SPECIAL RECOMMENDATIONS

| |
|---|
| |
| |
| |
| |
| |
| |

### EXTRA-CURRICULAR ACTIVITIES, RECOGNITIONS

| | |
|---|---|
| | |
| | |
| | |
| | |
| | |
| | |

### SERIOUS ILLNESS—ACCIDENTS

| | DATE | | DATE |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |

NOTE: The elementary school will provide test data, parental data and school information on pages 2 and 3 as indicated.

ADDITIONAL INFORMATION (to be dated and signed)

ELEMENTARY

SECONDARY

### IMMUNIZATIONS

| TYPE | | DATE |
|---|---|---|
| Smallpox | | 1954 |
| D.P.T. | 1. | |
| | 2. | |
| | 3. | 1957 |
| | B. | 1959 |
| Polio Sabine | 1. | |
| | 2. | |
| | 3. | 1961 |
| Salk #4 | | 1959 |
| | | |
| | | |

Exhibit 8 B continued

**EXHIBIT 9 A**

**Superintendent of Schools - Harold H. Eibling**

**MARION - FRANKLIN HIGH SCHOOL**
**1265 Koebel Road, Columbus, Ohio 43207**

March 23, 1971

Mr. & Mrs. Freddie Robison
1456 Wayland Drive
Columbus, Ohio

Dear Mr. & Mrs. Robison:

I have suspended Bruce, your brother, from Marion-Franklin High School until Tuesday, March 30.

During the suspension the Pupil Personnel Department of the Columbus Board of Education will review with you the contents of the letter of November 6, 1970.

Bruce disrupted the assembly and walked out of the assembly this morning. This he did after the principal made clear if a student did he would be suspended.

During the suspension period, your brother is to remain at home during school hours, and not attend Marion-Franklin athletic events or other school sponsored activities during the day or evening. If there are any questions, please phone me at school.

Sincerely,

Oscar R. Gill
Assistant Principal



**EXHIBIT 9 B**

November 6, 1970

Mr. & Mrs. Freddie Robison
1456 Wayland Drive
Columbus, Ohio 43207

Dear Mr. & Mrs. Robison:

This letter is to confirm the phone conversation I had with Bruce last night. We have been able to clear things for Bruce to return to Marion-Franklin High School. This special permission has been approved by Mr. Fulton, the principal at Marion-Franklin. Bruce is to report to Mr. Fulton on November 9.

As I explained to Bruce, we will expect him to have good behavior, satisfactory attendance and make normal progress in his school work. If he falls below normal expectation in any one of these three areas, I have asked Mr. Fulton to contact me. I feel sure, however, that this will not be the case and that Bruce will finish the year at Marion-Franklin.

Sincerely,

Norval Goss
Pupil Personnel Dept.

# EXHIBIT 9 C

**COLUMBUS PUBLIC SCHOOLS**

**ACADEMIC RECORD**

Eastmoor SENIOR HIGH SCHOOL
(To be Published)

NAME Harris Roger HOME ROOM

ADDRESS PHONE

RESIDES WITH RELATIONSHIP

DATE OF BIRTH 9-13-51 DATE ENTERED

| | DATE | REASON |
|---|---|---|
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |
| WITHDRAWN | | |
| RE-ENTERED | | |

PHOTO

Indicate below the name of one adult, other than parent, who will probably know the pupil's residence for two years following graduation.

NAME

ADDRESS

PHONE



# Exhibit 9 C continued

Eastmoor HIGH SCHOOL COLUMBUS, OHIO

CERTIFICATE OF CREDIT

NAME Harris Roger ADDRESS

SEX M DATE OF BIRTH 9 13 51 PLACE OF BIRTH Macon City Ga

PARENT OR GUARDIAN

DATE ENTERED ADMITTED FROM Macon - Bibb

☐ WAS NOT GRADUATED ☑ WAS GRADUATED DATE OF DIPLOMA 6-14-72

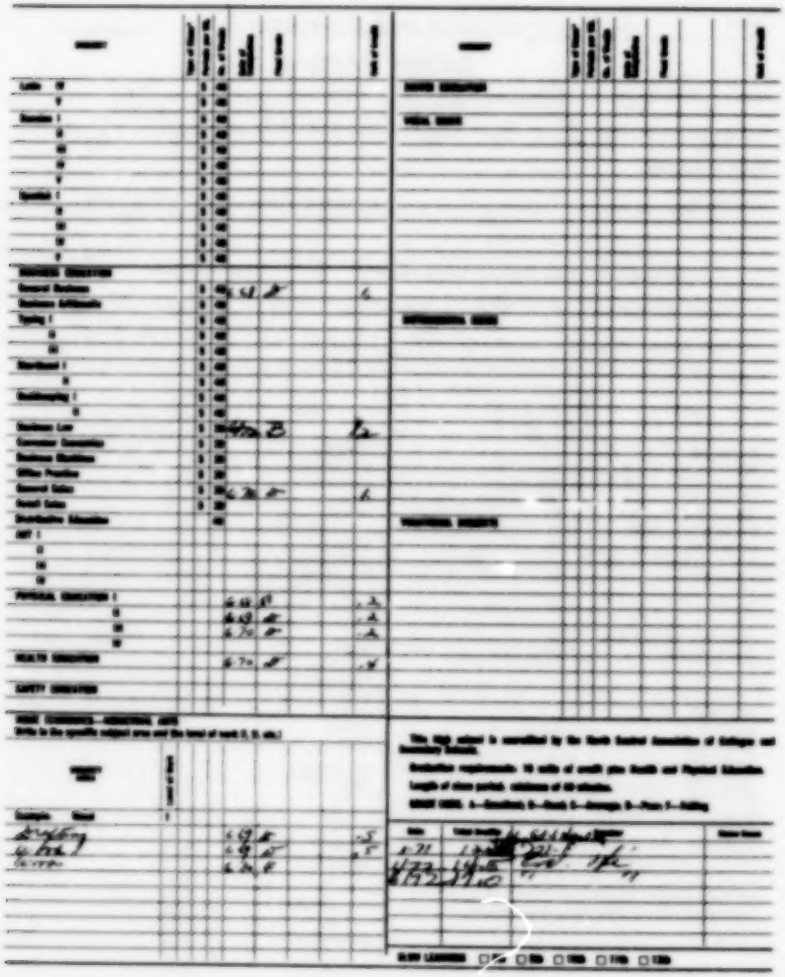
NUMBER IN GRADUATING CLASS 109 RANK IN CLASS 93 LAST SUBMITTED 5-3-72

POINT AVERAGE 1.0741 AS COMPUTED 2-16-72 Jim Dawson PRINCIPAL

| SUBJECT | GRADE | CREDIT | SUBJECT | GRADE | CREDIT |
|---|---|---|---|---|---|
| English I | D | 1 | Algebra I | D | 1 |
| English II | D | 1 | General Mathematics | D | 1 |
| English III | D | 1 | Plane Geometry | | |
| English IV | | | Algebra II | | |
| Speech I (Public Talks and Fundamentals) | | | Trigonometry | | |
| Speech II (Discussion) | | | Analytical Geometry | | |
| Journalism | | | Advanced Mathematics I | | |
| | | | Senior Review in Mathematics | | |
| | | | Physical Science I | | |
| | | | Physical Science II | | |
| | | | Biology I | | |
| | | | Biology II | | |
| | | | Chemistry | | |
| | | | Physics | | |
| World History | D | 1 | | | |
| American History | D | 1 | | | |
| Principles of Democracy | D | 1 | | | |
| Economic History | | | | | |
| Civics | D | 1 | | | |
| Family Living | | | | | |
| Health | D | 1 | | | |
| | | | French I | | |
| | | | French II | | |
| | | | French III | | |
| | | | French IV | | |
| | | | German I | | |
| | | | German II | | |
| | | | German III | | |
| | | | German IV | | |
| | | | Latin I | | |
| | | | Latin II | | |
| | | | Latin III | | |
| | | | Latin IV | | |

* Units to be known when entered on to the certificate. Lower Grade if required.

## Exhibit 9 C continued





## Exhibit 9 C continued

**TRANSCRIPT RECORD**

| DATE | SENT TO | COMMENTS |
|---|---|---|
| 10/6/72 | Waldorf College Transcript | Waldorf College |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

NAME Harris Bruce — M F

HOME ROOM 7th Lib 211 104

GRADE LEVEL 7 8 9 10

PROMOTED FROM Highland — ELEMENTARY SCHOOL — DATE 6-66

GRADUATED FROM — JUNIOR HIGH SCHOOL — DATE

GRADUATED FROM — SENIOR HIGH SCHOOL — DATE

**CUMULATIVE PERSONAL RECORD**
Columbus, Ohio, Public Schools
(To follow pupil)

IN CASE OF EMERGENCY NOTIFY:
(If Parent Not Available)
NAME
ADDRESS PHONE
NAME
ADDRESS PHONE
(Note: Use Pencil For Above)

**HONORS AND RECOGNITIONS**

| SCHOOL | DATE | RECOGNITION |
|---|---|---|
| | | |
| Westmoor | 66-67 | Most Valuable Player Track Team |
| West | '69 | Jaycees |
| West | '69 | Football, Columbus Jr Olympics |
| West | 69 | Football |

**EXTRA-CURRICULAR ACTIVITIES**

| SCHOOL | DATE | ACTIVITY |
|---|---|---|
| Westmoor | 66-67 | Track Team |
| Westmoor | 67-68 | Y-Teens |
| West | '69 | Varsity "W" |
| West | 70 | Varsity "W" |

**PUPIL'S EMPLOYMENT (Part-Time & Vacation)**

| DATE | KIND OF WORK | HOURS | REMARKS |
|---|---|---|---|
| | Laundry | 8 | |

**OUT-OF-SCHOOL ACTIVITIES**

| DATE | |
|---|---|
| 66-67 | Y.M.C.A. |
| '68 | Summer League Football |
| '69 | Life Guard |

Exhibit 9 C continued

274

**RESIDENTIAL DATA**

| SCHOOL | | DATE ENTERED | DATE WITHDRAWN | REASON | RESIDENCE | PHONE | PARENT, GUARDIAN OR SPONSOR | TUITION PAID | NON-RESIDENT STATE | NON-RESIDENT COUNTY |
|---|---|---|---|---|---|---|---|---|---|---|
| Highland | Elem. | 9-21-65 | 6-68 | To W Jr H | 7982 Applegate | | Highland | | | |
| Westmoor | Junior | 9-68 | 6-68 | | | | | | | |
| | Junior | | | | | | | | | |
| | Junior | | | | | | | | | |
| | Junior | | | | | | | | | |
| West | Junior | 9-68 | 6-70 | To W. H. S. | 1435 Westland Ave. | | Mother | | | |
| Marion Franklin | Senior | 9-70 | withdrawn | withdrawn | withdrawn | | | | | |
| | Senior | | 10th D | Effingham | | | | | | |
| | Senior | | | | | | | | | |

**PARENTAL DATA**

| | NAME | RESIDENCE | OCCUPATION | BUSINESS ADDRESS | BUSINESS PHONE | HOME PHONE |
|---|---|---|---|---|---|---|
| FATHER | Harris Bruce | Same | Truck Driver | 2190 Fifth Ave | | |
| MOTHER (Name also) | Harris Bruce | Same | | | | |
| STEP-PARENT | | | | | | |
| GUARDIAN | | | | | | |

**ATTENDANCE DATA**

| SCHOOL | GRADE | DATE ENTERED | DAYS ABSENT | DAYS TARDY | DAYS ATTENDED | NUMBER OF SEMESTERS | REMARKS (Re Withdrawal, Home Conditions) |
|---|---|---|---|---|---|---|---|
| Highland | 6 | 9-65 | 9 | 146 | 164 | 1 | |
| Westmoor | 7 | 9-66 | 1 | 170 | 173 | 1 | |
| Westmoor | 8 | 9-67 | 11 | 168 | 174 | | |
| Westmoor | 9 | 9-68 | 9 | 149 | 154 | 1 | |
| West | 10 | 9-69 | 3 | 163 | 166 | | |
| West | 11 | 9-70 | 8 | 179 | 175 | | |
| West | 11 | 9-69 | 12 | 172 | 176 | | |
| West | 11 | 9-70 | 20 | 179 | 173 | | |
| W.H.S. | 10 | 9-70 | 17 | 162 | 170 | | |

**COUNSELING RECORD***

| DATE | TYPE | COMMENTS |
|---|---|---|
| | | |

Exhibit 9 C continued

275

## TEST DATA

### INTELLIGENCE

| | DATE | GRADE LEVEL | NAME OF TEST | FORM | TYPE | CA | MA | IQ RAW SCORE | IQ SCORE | TOTAL | % TILE |
|---|---|---|---|---|---|---|---|---|---|---|---|
| GIA | 9 26 57 | 6 | Stanford Binet | | | | | | | 79 | |
| | | | | | | | | | | | |
| ACHIEVEMENT | 10-66 | 8 | Metro Test | A | Gd | 14-1 | | | | 78 | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |

### OTHER STANDARDIZED TESTS

| | DATE | GRADE LEVEL | TYPE | NAME OF TEST | FORM | CITY WIDE %ILE | CITY WIDE SD | RESULTS |
|---|---|---|---|---|---|---|---|---|
| GIA | 1-10-61 | 6 Para | | Stanford | 1 | x | | Arithmetic Reading 8.3 |
| | " | 6 Para | | | 2 | x | | 7.6 |
| ACHIEVEMENT | 4-64 | 8 | Iowa | Calif Comp | W | ✓ | | Read 9.7 Lang 10.7 Spell 9.3 |
| | 2-66 | 8 | Para | Calif Achiev | X | ✓ | | 8.6 9.3 8.1 |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

ADDITIONAL TESTS RESULTS - COMMENTS

## PERSONALITY TRAITS

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| **INITIATIVE** | | | | | | | |
| Merely conforms | | | | | | | |
| Seldom initiates | | | ✓ | | ✓ | | |
| Frequently initiates | | | | | | | |
| Self-reliant | | X | | | | | |
| Actively creative | | | | | | | |
| **WORK HABITS** | | | | | | | |
| Seldom produces | ✓ | | | | | | |
| Works only under pressure | | | ✓ | | ✓ | | |
| Needs occasional prodding | | X | | | | | |
| Considerably prepared | | | | | | | |
| Seeks additional work | | | | | | | |
| **INFLUENCE AND LEADERSHIP** | | | | | | | |
| Negative | | | | | | | |
| Co-operative but retiring | | | | | ✓ | | |
| Contributing in minor efforts | | X | | ✓ | | | |
| Contributes in important efforts | | | | | | | |
| Judgment respected - relies things go | | | | | | | |

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| **CONCERN FOR OTHERS** | | | | | | | |
| Indifferent | ✓ | | | | | | |
| Self-centered | | | | | | | |
| Somewhat socially concerned | | X | | ✓ | | ✓ | |
| Generally concerned | | | | | | | |
| Deeply concerned | | | | | | | |
| **RESPONSIBILITY** | | | | | | | |
| Irresponsible | | | | | | | |
| Somewhat dependable | ✓ | X | | ✓ | | ✓ | |
| Usually dependable | | | | | | | |
| Considerate | | | | | | | |
| Assumes much responsibility | | | | | | | |
| **EMOTIONAL STABILITY** | | | | | | | |
| Unresponsive | | | | | | | |
| Excitable | | | | | | | |
| Usually well-balanced | | X | ✓ | | ✓ | | |
| Exceptionally stable | | | | | | | |

| | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|---|---|---|---|---|
| **ATTENTION TO SCHOOL REGULATIONS** | | | | | | | |
| Actively opposes regulations | | | | | | | |
| Indifferent | ✓ | X | | | | | |
| Usually cooperative | | | | | ✓ | | ✓ |
| Follows regulations conscientiously | | | | | | | |
| An exemplary school citizen | | | | | | | |
| **PERSONAL APPEARANCE AND DRESS** | | | | | | | |
| Generally inappropriate | | | | | | | |
| Tendency to follow extreme trends | | | | | | | |
| Usually tidy | | X | | | ✓ | | ✓ |
| Neat and dressed in good taste | | | | | | | |
| Exceptionally attractive appearance | | | | | | | |
| **ADDITIONAL COMMENTS** | | | | | | | |





## ELEMENTARY SUMMARY

NAME Harris (LAST) Bruce (FIRST) (MIDDLE) (M) F From Highland (Elementary School)

BIRTHPLACE Mason City, Mason (CITY, State) W. Va. (STATE) BIRTH DATE 9 (MO.) 13 (DA.) 51 (YR.) VALIDATION Birth cert

### GENERAL ACADEMIC RATING

| | |
|---|---|
| Excellent | |
| Above Average | |
| Average | |
| Below Average | |
| Poor | ✓ |

### SPECIAL APTITUDES

| | |
|---|---|
| | |
| | |
| | |

### HEALTH DATA

| | | | |
|---|---|---|---|
| Asthma | | Heart | |
| Brain damage | | Hernia | |
| Crippled | | Kidney | |
| Diabetes | | Rheumatic Fever | |
| Epilepsy | | Speech | |
| Hearing | | Vision | |

### SPECIAL RECOMMENDATIONS

| |
|---|
| |
| |
| |
| |
| |
| |

### EXTRA-CURRICULAR ACTIVITIES, RECOGNITIONS

| | |
|---|---|
| | |
| | |
| | |
| | |
| | |
| | |

### SERIOUS ILLNESS—ACCIDENTS

| | DATE | | DATE |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

NOTE: The elementary school will provide test data, parental data and health information on pages 2 and 3 as indicated.

ADDITIONAL INFORMATION (to be dated and signed)

ELEMENTARY

SECONDARY

### IMMUNIZATIONS

| TYPE | | DATE |
|---|---|---|
| Smallpox | | 1964 |
| D.P.T. | 1. | |
| | 2. | |
| | 3. | 1960 |
| | 4. | 1963 |
| Polio | 1. | |
| | 2. | 1960 |
| | 3. | |
| Measles | | 1963 |
| | | |
| | | |

## EXHIBIT 10 A

**COLUMBUS PUBLIC SCHOOLS**
**270 East State Street, Columbus, Ohio 43215**

Dear

Please be advised that your son, daughter, _____, has been expelled from further school attendance under the authority of Section 3313.66 Ohio Revised Code, for _____ at _____ High School on _____, 197 .

This expulsion will continue in effect for the remainder of the current semester.

It must be understood that during the period of this expulsion, _____ shall not be present in any public school or on the school grounds or in the school building of any school of the Columbus City School District.

You are further advised that under the authority of Section 3313.66 Ohio Revised Code, you or your son, daughter have the right to appeal this expulsion at a meeting of the Columbus Board of Education.

You are also advised that at the end of the current semester, you may initiate the reinstatement of the above named student through the Department of Pupil Personnel of the Columbus City Schools.

We are sorry that this action is necessary, but we believe that it is the only course justified at this time.

Sincerely yours,

JOHN ELLIS
Superintendent of Schools



## EXHIBIT 11

**COLUMBUS PUBLIC SCHOOLS**
**270 East State Street, Columbus, Ohio 43215**

Dear

I am sorry to hear of the regrettable incident involving your _____, _____ at _____ High School. Because of the severity of this problem Mr. _____, Principal at _____, has recommended that _____ be expelled from school.

In accordance with required procedure in such a matter, this letter is official notice to you of a hearing of _____ case. This hearing is scheduled for the Board of Education room at 270 East State Street at _____ on _____, 197 .

Sincerely

NORVAL GOSS, *Director*
Pupil Personnel

## EXHIBIT 12

### ADMINISTRATIVE GUIDE
### Section 1010—DISCIPLINE OF PUPILS

1010.01—Disciplinary measures shall be reasonable and appropriate to the nature of the misbehavior of the offending pupil and in accordance with the holdings of Ohio courts of law.

1010.02—Although no staute makes a specific mention of corporal punishment, Ohio courts have held that a teacher or principal may administer such punishment. In the Columbus Public Schools, corporal punishment may be used as a last resort and after all other means of punishment have proved ineffectual. Corporal punishment must be administered in the presence of at least one adult witness.

1010.03—Under no circumstances shall punishment be cruel or excessive or administered from malice or passion.

1010.04—Pupils may be suspended or expelled from school in accordance with the provisions of Section 3313.66 of the Revised Code.

## EXHIBIT 13

### COLUMBUS PUBLIC SCHOOLS
### Policy Statement on Discipline

The belief that the Columbus Public School System has a responsibility to teach proper behavior patterns is based on the following premises:

1. The school must provide educational opportunities so every child may achieve to his fullest potential and become a contributing citizen in a democracy.

2. The child is a social being and as such must learn to recognize that certain types of behavior are necessary in a democratic society. Disciplined behavior is a basic need of such a society.



3. Discipline is a developmental need of each pupil. There is a feeling of security if limits are known to pupils and they live within appropriate limits.

4. Discipline has two major purposes: 1) securing a classroom atmosphere conductive to maximum educational achievement; 2) helping each pupil develop self control.

5. The development of an educational environment conducive to learning and individual self control is delegated to the school by society as its agency for perpetuating and improving the democratic way of life. Thus good discipline is a legitimate task and assigned responsibility of the school.

From these premises the following areas of responsibility develop:

**Responsibility of the Pupils**

Pupils shall accept the authority which has been delegated to the school by society.

Pupils shall respect those rules and regulations necessary for the orderly operation of the school and growth in citizenship.

Pupils shall respect school property, the rights of others, and the opinions of others. They must learn to accept the consequences of their decisions and behavior.

Pupils shall dress and groom themselves in a manner which will not infringe upon an atmosphere conducive to learning, and for the same reason shall maintain habits of personal cleanliness.

Pupils shall strive to develop habits of self-discipline that they may make positive contributions to the society in which they live.

Pupils shall behave in such a way that they will bring credit to themselves and their school.

**Responsibility of Teachers**

Teachers shall regard each pupil as an individual worthy of respect and dignity and shall help each pupil learn to regard himself in this manner.

Teachers shall present a program of instruction that will enable each pupil to achieve his full academic and social potential in each area of study.

Teachers shall help each pupil to understand the nature of acceptable and unacceptable behavior in the development of the desired goal: self-discipline.

Teachers shall set an example of acceptable behavior with respect to dress, grooming, coiffure, speech, and manners.

Teachers shall work with administrators and other staff personnel to promote a climate conducive to learning and achievement in the school.

Teachers shall accept responsibility for knowing and enforcing the rules and regulations of the school.

**Responsibility of the Principal**

The principal shall work with his staff to create an environment conducive to learning.

The principal shall involve the staff of specialized personnel, including school psychologists, school counselors, attendance officers, and health personnel, in dealing with individual and group behavioral problems.

The principal, with the advice of the staff, shall develop school rules and regulations that will encourage pupils to develop acceptable patterns of social behavior.

The principal, with the advice of the staff, shall develop school rules and regulations that will encourage pupils to develop acceptable patterns of social behavior.

The principal shall consider initiating a student advisory group to aid in the implementation of school rules and regulations.



The principal, by virtue of his position of authority, shall keynote the approach to good discipline in his school. In this vital area of school affairs, he and his staff shall work cooperatively on problems of behavior. The administrator may deem it best to use forms of punishment not available to the teacher, such as corporal punishment or suspension. The final decision on the appropriate form of punishment to be employed rests with the administrator, since such responsibility has been delegated to him by the Board of Education.

**EXHIBIT 14**

TO: ALL PRINCIPALS
FROM: NORVAL GOSS, PUPIL PERSONNEL
DATE: JULY 10, 1973
SUBJECT: SUSPENSION

Section 3313.66 of the Ohio Revised Code states that:

> "the principal of a public school may suspend a pupil from school for not more than ten days. Such — principal shall within twenty-four hours after the time of — suspension, notify the parent or guardian of the child, and the clerk of the Board of Education in writing of such — suspension including the reasons therefore."

In order to assure full compliance with this important section of the Revised Code; to guarantee that each pupil is treated equally and fairly, and further to assure consistency in the administrative practices in our schools, guidelines have been established which are to be followed in all cases where a student is suspended from school.

A. **Grounds for suspension**

1. Violation of any City of Columbus ordinance of state or federal law; and

2. Violation of written school rules or Board of Education regulations; and

3. Activities which interefere with or threaten the orderly functioning of school activities including classroom, extra-curricular and athletic activities; and

4. Any activity which is grounds for expulsion. This shall include, but not be limited to assault on a teacher, arson, or destruction of school property, active leadership in school disruption and direct refusal to follow a direct order from an administrator in time of school tension.

B. **Suspension Procedures**

1. Whenever an incident occurs that may lead to a suspension, the principal or assistant principal shall investigate the nature of the alleged offense before commencing suspension procedures. Unless the pupil is unavailable or unwilling to discuss the incident with the principal, this investigation shall include a discussion with the pupil so that the pupil may be given an opportunity to be heard with respect to the alleged offense.

2. If the principal determines that grounds for suspension do exist, he shall notify the pupil of the exact reason and length of the suspension and further inform the pupil that the suspension means he must stay off school property and away from school-sponsored activities during the entire term of the suspension.

3. Notify the parent or guardian of the suspension, by phone if possible, and explain the reason and length of the suspension. Except in cases of disruption where circumstances make it vital that one or several pupils be removed from the school property immediately because of a threat to the safety of other pupils, faculty or school property, no pupil shall be released from school during



the school day without notifying the parent or guardian in person or by phone.

4. The parent or guardian shall be provided an opportunity to attend a conference with the principal, to review the reasons for the suspension.

5. Within 24 hours after the incident leading to the suspension, a letter shall be written to the parents or guardian which shall include the reason for and term of the suspension and that a conference with the principal will be arranged, at mutual convenience, at the earliest possible time. A carbon copy of this letter, together with relevant information regarding the suspension, shall be sent to Pupil Personnel (designated agent of Clerk of Board of Education).

6. In the event that any suspension is subsequently found to be erroneous, all references to the suspension shall be expunged from the school records.

7. At the conclusion of a suspension it is the responsibility of the principal to see that the pupil is informed that the suspension is terminated and he is eligible to return to school.

Approved: C. L. Dumaree

## DEFENDANTS' EXHIBIT B

| | 1967-68 | | 1968-69 | | 1969-70 | | 1970-71 | | 1971-72 | | 1972-73 | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Credits earned | Point average | Credits earned | Point average | Credits earned | Point average | Credits earned | Point average | Credits earned | Point average | Credits earned | Point average | Final point average |
| Byars, Clarence | | | 5.9 | 2.70 | 5.7 | 2.67 | 5.1 | 2.63 | 4.0 | 2.00 | | | 2.559 |
| Cooper, Susan | | | 4.7 | 1.98 | 5.7 | 1.91 | 5.1 | 1.80 | 2.5 | 2.20 | | | 1.933 |
| Crome, Betty | | | | | | | (2.8) | .70 | (2.2) | .71 | 4.2 | 1.00 | |
| Fox, Deborah | | | | | 4.7 | 2.04 | 5.7 | 1.91 | 5.0 | 1.36 | 1.5 | 3.66 | 2.087 |
| Harris, Bruce | 4.2 | 1.33 | 3.2 | .76 | 2.6 | .63 | 2.5 | 1.17 | 4.0 | 1.89 | | | 1.074 |
| Lopez, Dwight | 4.2 | 1.33 | .2 | .04 | 5.6 | .85 | 3.0 | 1.66 | 4.0 | 2.11 | | | 1.037 |
| Smith, Carl | 4.7 | 1.19 | 1.0 | .19 | 4.2 | 1.09 | 2.7 | 1.90 | 4.4 | 1.77 | | | 1.258 |
| Sutton, Rudolph | 4.2 | 1.57 | 5.9 | 1.68 | 4.6 | 2.28 | 4.0 | 1.75 | | | | | 1.818 |
| Washington, Tyrone | 4.8 | 2.00 | 3.7 | 1.40 | 4.2 | 2.00 | 5.5 | 2.09 | | | | | 1.861 |



IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRIT OF OHIO
EASTERN DIVISION

Filed July 17, 1973

(Title omitted in printing)
Civil Action No. 71-67

## MOTIONS OF ALL DEFENDANTS

**Motion to Dismiss for Failure to Establish That Plaintiffs Have Been Deprived of A Federal Right and for Failure to Establish By the Requisite Degree of Proof That Section 3313.66, Revised Code, Is Unconstitutional.**

All defendants at the close of plaintiffs' evidence for- to formally enter an order dismissing the above action which has now been concluded for the reasons that:

1. Plaintiffs have not established that they have been deprived of a Federally protected right or right specifically guaranteed by the Fourteenth Amendment to the United States Contsitution; and

2. Plaintiffs have not established by the required degree of proof that Section 3313.66 of the Ohio Revised Code is unconstitutional and they are therefore not entitled to an injunction enjoining the operation of the statute as being unconstitutional.

THOMAS A. BUSTIN, *Trial Attorney*
DALE A. CRAWFORD, *Of Counsel*
*Attorneys for Defendants*
City Hall—90 W. Broad Street
Columbus, Ohio 43215
Phone: 614/461-7460

**MEMORANDUM**

All defendants at the close of plaintiff's evidence formally made a motion to dismiss the above action. These defendants now reduce that motion to writing, and submit the same to this Court together with the previous motion which all defendants filed herein, wherein they requested that plaintiffs be placed upon their burden of proof.

The instant action was prosecuted as an action under 42 U.S.C., Section 1983, for the deprivation of a right guaranteed by the United States Constitution. It cannot be questioned but that the burden rests on plaintiffs in bringing such an action to establish that the defendants involved acted under color of law in such a manner as to deprive the plaintiffs of a Federally protected right or a right guaranteed by the Constitution. *Beaumont v. Morgan*, 427 F. 2d 667, at 670 and *Chism v. Price*, 457 F. 2d 1037 at 1039. Plaintiffs may not use 42 U.S.C. Section 1983 for the purpose of redressing rights guaranteed to them only by State law. *Charters v. Shaffer*, 181 F. 2d 764.

Reviewing the evidence submitted in the instant case, it is quite apparent that the only evidence before the Court at this particular time is evidence that the suspensions involved were suspensions which arose out of a period of stress and a period of disruption. Three plaintiffs testified and the substance of their testimony corroborates the fact that their suspensions arose out of periods of disruptions. That testimony is further substantiated by the testimony of Principal Philip Fulton which was submitted by defendants. No other evidence of any other type of suspension is before the Court as a result of the evidentiary hearing held on July 16, 1973. Further, examination of the plaintiffs' cumulative record



which has been submitted into evidence together with defendants' Exhibit B, which is a compilation of the school work by each of the individual plaintiffs, will not support a conclusion that any of these particular plaintiffs sustained any harm as a result of the suspension given anyone of them in either February, March or April of 1971. In fact, an examination of defendants' B, which was admitted into evidence will show that these plaintiffs' grade and point hours remain very consistent throughout the entire progress of their education through the Columbus Public School system. In addition, the testimony of at least one of the plaintiffs on July 16, 1973, indicated that she graduated prior to the time that she normally would have graduated or prior to the time that she would normally have been expected to graduate. Further examination of their cumulative records in relation to defense Exhibit B will disclose that several of the plaintiffs, Dwight Lopez, being one, had prior academic problems at the school during which time they earned so few credits that their graduation from school was delayed by reason of the fact that during one particular school year, namely, the school year 1968-69, they earned so few credits that it took them another school year in order to permit them to pick up the necessary credits that they needed in order to graduate. Specifically, if this Court will check defendants' Exhibit B, which has been admitted, for plaintiff Dwight Lopez, who testified during the course of the hearing, you will find that for the school year 1968-69, Dwight Lopez earned only two-tenths of a credit. Defendant Norval Goss testified that it takes 17 credits to graduate from high school and therefore it is quite easy to ascertain that if Mr. Lopez had any delay in graduating it was due solely to the fact that he earned so few credits dur-

ing the school year 1968-69. Plaintiffs presented no evidence such as would support a conclusion that a right of liberty or property is involved in this particular case. In other words, plaintiffs have not presented evidence such as discloses first and foremost that this Court is involved with a right of liberty or property such as is cognizable under the Fourteenth Amendment to the United States Constitution. *Morrissey v. Brewer*, 33 L. Ed. 2d 484; *Board of Regents v. Roth*, 408 U.S. 564 and *San Antonio Independence School District v. Rodriquez*, 41 U.S. L.W. 4407. The evidence or testimony submitted by the two psychologists and school guidance counselor called by plaintiffs does not serve to enable and to demonstrate that a right of liberty or property is involved. In fact, that testimony to which defendants objected and moved to strike is based wholly upon assumptions unsupported by any factual data actually in evidence. None of the psychologists or the school guidance counselor examined or talked to the plaintiffs or examined their cumulative school records. In fact, a study of the evidence relating specifically to each plaintiff, together with the opinions expressed by the psychologists and guidance counselor show the evidence to be in conflict, since there is no evidence any of the so-called harms were actually sustained by any single plaintiff. In fact, a conclusion that they sustained no harm is quite supportable. Therefore, their opinions concerning the effect of suspension are opinions which rest wholly on the total absence of a supportive factual background, and they are therefore entitled to no weight. Those opinions would have been perfectly proper before a legislative body arguing for a change in the law.

All defendants herein previously on May 25, 1973 filed a motion in which they requested that plaintiffs be



placed upon their burden of proof. This Court now has this motion under consideration and by this written motion defendants wish to indicate to the Court that they fully rely on that motion. The plaintiffs in this case attack Section 3313.66 of the Ohio Revised Code as being unconstitutional and ask this Court to grant an injunction enjoining the operation of that statute. In making the challenge to the statute, given the fact that the statute enjoys a presumption of constitutionality, the plaintiffs in this case had a heavy burden of proof to establish that the same was unconstitutional. *San Antonio Independence School District v. Rodriquez*, 36 L. Ed. 2d 16; 16 Am. Jur. 2d, Constitutional Law, Sec. 172, 173, 174 and 175. All defendants herein submit that the total factual evidence submitted by plaintiffs does not meet the required burden of proof of establishing that Section 3313.66 of the Ohio Revised Code is unconstitutional.

For the above reasons, all defendants herein respectfully request that the motion to dismiss which they made at the close of plaintiffs' evidence be granted for the reasons stated in this written motion.

Respectfully submitted,
THOMAS A. BUSTIN, *Trial Attorney*
DALE A. CRAWFORD, *Of Counsel*
*Attorneys for Defendants*
City Hall, 90 West Broad St.
Columbus, Ohio 43215
Phone: 614/461-7460

(Certificate of Service omitted in printing)

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Filed August 31, 1973

(Title omitted in printing)
Civil Action No. 71-67

## AMENDED COMPLAINT

1. This is an action for injunctive and declaratory relief authorized by Title 42 U.S.C. Section 1983 to secure rights, privileges and immunities established by the First and Fourteenth Amendment to the Constitution of the United States.

## JURISDICTION

2. The jurisdiction of this Court is invoked under Title 42 U.S.C. Section 1343(3) providing for original jurisdiction of this Court in suits authorized by Title 42 U.S.C. Section 1983 and under Title 28 U.S.C. Sections 2201 and 2202 relating to declaratory judgments.

3. Plaintiffs respectfully request that a three-judge Court be convened pursuant to Title 28 U.S.C. Section 2281 in that plaintiffs seek to enjoin the enforcement of State Statute by an officer of the State on the grounds that said statute and its implementation violate the Constitution of the United States.

## CLASS ACTION

4. Plaintiffs bring this action on their own behalf and on behalf of all other students residing in the City of Columbus who are similarly situated and affected by the policy and usage complained of herein. The mem-



bers of the class on whose behalf plaintiffs sue are so numerous as to make it impracticable to bring them all individually before this Court. There are common questions of law and fact involved and plaintiffs' claim is typical of the claim of the entire class. Plaintiffs fairly and adequately represent and will protect the interest of the class. Defendants have acted on grounds generally applicable to plaintiffs' class. The questions of law and fact common to the members of the class predominate over any questions affecting only individual members and a class action is superior to other available methods for the fair and efficient adjudication of the controversy.

## DEFENDANTS

5. Defendant Norval Goss is the Director of the Department of Pupil Personnel of the Columbus Public Schools.

6. Defendant James Furgason is the Principal and Chief Administrative officer of Central High School.

7. Defendant James Boster is the Principal and Chief Administrative officer of Marion-Franklin High School.

8. Defendant John Mulherin is the Principal and Chief Administrative officer of McGuffey Junior High School.

9. Defendant John Ellis is Superintendent of Schools of the Columbus Public Schools and is the Executive and Administrative officer of the Columbus Board of Education pursuant to Section 3301.11 of the Ohio Revised Code.

10. Defendant Columbus Board of Education is and was at all times material hereto entrusted with the

management and control of all matters relating to the Columbus Public Schools pursuant to Chapter 3313 of the Ohio Revised Code. Defendants Virginia Prentice, Thomas Moyer, Marilyn Redden, Marie Castleman, David Hamlar, Paul Langdon, and Watson Walker are the present members of the Board of Education.

## CLAIM OF DWIGHT LOPEZ

11. Mrs. Eileen Lopez is the parent and natural guardian of Dwight Lopez, a minor, 19 years of age on whose behalf she has filed suit. Dwight Lopez is in the 12th grade at Central High School.

12. Lopez was suspended without prior hearing on the 26th of February by Calvin Park then principal of Central High School. Lopez was advised of the suspension in writing by a letter mailed to him and received February 27, 1971. No return date was fixed in his suspension. On March 1, 1971 Mr. and Mrs. Lopez were advised that they would have to appear at the Board of Education before Dwight Lopez could return to school.

13. On March 5, 1971 the School Board acting through Herbert M. Williams then Director of Pupil Personnel delivered a letter to Mr. and Mrs. Lopez advising them to appear March 8, 1971 at 8:30 A.M. Because of a demonstration being conducted at the Board of Education offices that morning neither Dwight or Mr. and Mrs. Lopez appeared at the Board as scheduled. Dwight Lopez has not been advised of the complete and specific reasons for his suspension, and no hearing has been held concerning being readmitted to Central High School, and he is being denied an opportunity to continue his education there.

14. Following March 8, 1971 Mrs. Lopez called the School Board on several occasions, as did her daughter, Alma Robinson, but no new date was set for hearing.



Mrs. Robinson thereafter wrote to the School Board on March 22, 1971 and by letter dated March 25, 1971 received March 26, 1971 from defendant, H. M. Williams, Mrs. Lopez was advised that since Dwight had missed his appointment March 8, 1971 and had made no attempt to make a new appointment, he was granted permission to report to the adult day school at Nelson Road.

15. To the date of the filing of this Complaint no hearing has ever been held in Dwight Lopez's case and he has not been advised in writing the reason for his suspension or expulsion from the regular day school of Central High School.

## CLAIM OF BETTY JEAN CROME

16. Mrs. Martha Jean Adams is the parent and natural guardian of Betty Jean Crome, a minor, 13 years of age.

17. Betty Jean Crome was suspended from school by Frank Mason then principal of McGuffey Junior High School. The plaintiff Betty Jean Crome was suspended from McGuffey Junior High School, where she is a student in the 7th grade on the 8th day of March, 1971 without prior hearing. Betty Jean Crome was advised that she was to report to school with her mother on March 15, 1971. Mrs. Adams was unable to be with her daughter on readmission however and that requirement was relaxed.

18. Betty Jean Crome was readmitted to school on the 15th day of March and no hearing was held on the reasons for suspension and said suspension has become part of her permanent school record.

## CLAIM OF RUDOLPH R. SUTTON

19. Floyd Sutton is the parent and natural guardian of Rudolph Sutton, a minor 19 years of age on whose

behalf he has filed suit. Rudolph Sutton is a student at Marion-Franklin High School in the 12th grade.

20. Rudolph Sutton was suspended from school on the 15th day of March, 1971 for a period of 10 days. By letter dated March 16, 1971 Rudolph Sutton was notified that he was suspended until March 25, 1971 and that the Pupil Personnel Department would notify him of further disposition of his case in a letter sent by Oscar Gill acting for Fulton then Principal of Marion-Franklin High School.

21. No hearing was ever held in the Sutton case and on the 25th day of March upon returning to Marion-Franklin, Rudolph Sutton, and his mother who accompanied him, were advised that they would receive a letter in the mail concerning his case.

22. A letter dated that March 25, 1971 advised Mr. and Mrs. Sutton that their son was "to report to South High School for balance of 1970-71 school year. (adjustment)" The letter was signed by H. M. Williams then Director of Pupil Personnel. Plaintiff Rudolph Sutton has never requested a transfer from Marion-Franklin High School and no hearing or reason in writing were given to Sutton prior to said notice of transfer. Rudolph Sutton believes said suspension have become part of his permanent school record.

## CLAIM OF TYRONE WASHINGTON

23. Mrs. Dollie Vance is the parent and natural guardian of Tyrone Washington, a minor 18 years of age on whose behalf she has filed suit.

24. Tyrone Washington on the 15th day of March, 1971 was a student at Marion-Franklin High School from which he was suspended for a period of ten days. In a letter dated March 16, 1971 the parents of Tyrone Washington were advised of the suspension and that "The Pupil Personnel Department of the Columbus Board of Education will notify you concerning a disposition of your case". No hearing was held prior to or subsequent to suspension.



25. By letter dated March 23, 1971 Tyrone Washington parents were notified that he had been summarily transferred to Mohawk Junior High School for the balance of the school year. No transfer had been requested and no hearing has been held concerning said transfer. Tyrone Washington believes said suspension and transfer has become a permanent part of his school record.

## CLAIM OF SUSAN C. COOPER

26. Mrs. M. Katherine Cooper is the parent and natural guardian of Susan C. Cooper, a minor 16 years of age on whose behalf she has filed suit. Susan C. Cooper is a student at Marion-Franklin High School.

27. Susan Cooper was suspended from school without prior hearing for a period of ten days on March 15, 1971. On March 17, 1971 Mrs. Katherine Cooper received a letter from Oscar R. Dill acting on behalf of Fulton then principal of Marion-Franklin High School. No hearing was held prior to March 25, 1971 concerning said dismissal. By letter of March 16, 1971 Mrs. Cooper was advised of an 11:00 A.M. conference in Mr. Gill's office on the date of Susan's return. Susan Cooper believes said suspension will become part of her permanent record.

## CLAIM OF DEBORAH KAY FOX

28. Mrs. Delores Young is the parent and natural guardian of Deborah Kay Fox, a minor 16 years of age on whose behalf she has filed suit. Deborah Kay Fox is

a student at Marion-Franklin High School in the 10th grade.

29. On the 10th day of March, 1971 Deborah Kay Fox was suspended from school without prior hearing for a period of ten days. On the 11th day of March, 1971 Mr. and Mrs. William Young were advised of the suspension of Deborah Kay Fox until Friday, March 19, 1971. On March 19, 1971 when she attempted to return to school, Deborah Kay Fox was suspended until March 29, 1971 or "until contacted by Mr. Robert Carter or his representative regarding your daughter's school placement". Miss Fox was advised personally by Mr. Kollmer, as agent for the principal that she was not to return to Marion-Franklin.

30. No hearing has ever been held concerning said suspension and neither Deborah Kay Fox or her parents have ever requested a transfer. Miss Fox believes the suspensions she has received have become a permanent part of her school record. Miss Fox was advised on March 29th that she has been transferred to South High School.

## CLAIM OF CLARENCE L. BYARS

31. Mrs. Barbara Byars is the parent and natural guardian of Clarence L. Byars, a minor 16 years of age. Clarence L. Byars is in the 11th grade at Marion-Franklin High School.

32. On the 15th of March, 1971, Clarence L. Byars was suspended from school for a period of 3 days. On the 17th day of March, 1971 the parents of Clarence L. Byars were advised that Clarence was suspended and that he was to return to school on the 18th day of March, 1971. No hearing was held prior to his suspension and



Clarence Byars was not informed in writing of the reasons for his suspension until two days after it occurred and was never given an opportunity to contest said suspension. Clarence L. Byars believes said suspension will become part of his permanent school record.

## CLAIM OF CARL SMITH

33. Mrs. Veda Smith is the parent and natural guardian of Carl Smith, a minor, 18 years of age on whose behalf she has filed suit. Carl Smith is a student in the 12th grade at Central High School. Carl Smith was suspended from Central High School by Calvin Park then principal, on the 26th day of February, 1971. Smith was advised of suspension on February 27, by letter. No definite date of return was given to the plaintiff Smith and he has been permitted to be in school only on one day since his suspension, March 9, 1971. Smith has been advised that he may not return to school until he talks to someone at the School Board, no hearing has been held in his case since suspension February 26, 1971. Carl Smith continues to be denied an opportunity to complete his schooling.

## CLAIM OF BRUCE HARRIS

34. Freddie Robinson is the legal guardian and next friend of Bruce Harris on whose behalf he has filed suit. Bruce Harris is a minor, 18 years of age and a student in the 12th grade at Marion-Franklin High School.

35. On the 22nd day of March, 1971, Bruce Harris was suspended from Marion-Franklin High School by Oscar Gill, Assistant Principal. No hearing was held prior to his suspension and Harris was advised of the suspension by letter received March 24, 1971. The letter

advised Harris he was suspended until March 30, 1971 and that during the suspension "the Pupil Personnel Department of the Columbus School Board will review with you the contents of the letter of November 6, 1970".

36. When Harris returned to school on March 30, 1971, he was not readmitted and advised to make contact with the Pupil Personnel Department.

37. Harris remains out of school and believes said suspension will become part of his school record.

38. Defendants have acted pursuant to Section 3313.66 of the Ohio Revised Code, the Administrative Guide of the Columbus Public Schools, and the Policy Statement in Discipline of the Columbus Public Schools none of which provides any standards for the exercise of school administrators' disciplinary authority or fair proceedings through which a student has an opportunity to challenge the proposed disciplinary measure.

39. On information and belief, there are no other school rules or regulations relied upon by defendants as authorized aforesaid disciplinary actions.

40. Under color of State Law Defendants have acted intentionally, deliberately, and knowingly in violation of the First and Fourteenth Amendments to the Constitution of the United States and Title 42 U.S.C. Section 1983, rendering defendants liable to plaintiffs in law and equity.

## CAUSE OF ACTION

41. Section 3313.66 of the Ohio Revised Code, Section 1010.04 of the Administrative Guide of the Columbus Public Schools, and the Columbus Policy Statement in Discipline provide no ascertainable standards of conduct for violation of which high school students may be suspended and expelled. Said statute, administrative Guide, and Policy Statement are unconstitutional because their vagueness and overbreadth deprive students of rights secured under the First and Fourteenth Amendments to the Constitution of the United States.



42. Section 3313.66 of the Ohio Revised Code Section 1010.04 of the Administrative Guide of the Columbus Public Schools, and the Columbus Policy Statement in Discipline authorize the suspension and expulsion of high school students without prior notice and a hearing with such minimal rights as a written statement of the reasons for the proposal discipline, the right to cross-examination, the right to pre-hearing discovery procedure, the right to submit relevant evidence and the right to be represented by counsel. Said statute, administrative Guide, and Policy Statement are unconstitutional because their lack of procedural safeguards deprives students of rights secured under the Fourteenth Amendments to the Constitution of the United States.

43. In the instant case defendants have effected suspensions, expulsions, and involuntary transfers of students without prior hearings which comport with minimal standards of due process. Defendants actions have been arbitrary, unequal and discriminatory in violation of plaintiffs rights secured by the First and Fourteenth Amendments to the Constitution of the United States.

## PRAYER FOR RELIEF

44. Wherefore, plaintiffs respectfully pray that this Court:

(1) Assume jurisdiction of this cause and convene a three-judge district court to determine the controversy pursuant to Title 28 U.S.C. Section 2281.

(2) Enter a preliminary and a final order pursuant to Title 28 U.S.C. Sections 2201 and 2202 and Rule 57 of the Federal Rules of Civil Procedure declaring that Section 3313.66 of the Ohio Revised Code is unconstitutional.

(3) Enter a preliminary and a final order pursuant to Title 28 U.S.C. Sections 2201 and 2202 and Rule 57 of the Federal Rules of Civil Procedure declaring that the administrative Guide and the Policy Statement on Discipline of the Columbus Public Schools insofar as they relate to suspensions and expulsions are unconstitutional.

(4) Issue a preliminary and a permanent injunction restraining the defendant, their successors in office, agents and employees from further enforcement of the unconstitutional provisions of their discipline policy and Section 3313.66 of the Ohio Revised Code.

(5) Issue a preliminary and a permanent injunction ordering that plaintiffs' school records be expunged of any notation of the aforementioned suspensions and that plaintiffs be allowed to make up any school work or tests occurring during their absence from school.

(6) Maintain jurisdiction of this cause until such time as defendants establish a hearing procedure in conformity with the requirements of the Fourteenth Amendment to the Constitution of the United States.

(7) Award plaintiffs their costs and disbursements incurred herein together with such further alternative relief as may seem just and equitable.

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Filed September 12, 1973

(Title omitted in printing)
Civil Action No. 71-67

**ANSWER ON BEHALF OF SUBSTITUTED PARTIES Norval Goss, James Furgason, James Boster, John Mulherin, John Ellis, Virginia Prentice, Thomas Moyer, Marilyn Redden, Marie Castleman, David Hamlar, Paul Langdon and Watson Walker.**

1. Defendants, Norval Goss, James Furgason, James Boster, John Mulherin, John Ellis, Virginia Prentice, Thomas Moyer, Marilyn Redden, Marie Castleman, David Hamlar, Paul Langdon and Watson Walker, substituted herein as parties-defendant without abandoning the motion to dismiss filed in this cause on April 19, 1971, and renewed both at the commencement and conclusion of the trial conducted on July 16, 1973, and relying on all other motions made either orally or in writing as a result of the trial held on July 16, 1973, file the following as their answer.

2. Defendants named above admit that the action is denominated an action for declaratory and injunctive relief as alleged in paragraph one of the complaint and that the jurisdiction of this Court is invoked as alleged in paragraph two of the complaint, but specifically deny that the facts alleged or submitted support the assertion of such jurisdiction.

3. Defendants admit that a three-judge Court has been convened to hear the instant cause.

4. By way of further answer, defendants deny the allegations contained in paragraph four of the complaint.

5. Defendants admit that Norval Goss is the Director of the Department of Pupil Personnel of Columbus Public Schools; that James Furgason is presently Principal of Central High School; that James Boster is Principal of Marion-Franklin High School; that John Mulherin is Principal of McGuffey Junior High School; that John Ellis is presently Superintendent of Schools of the Columbus Public School System and that the Board of Education acting as a political subdivision manages the Columbus Public School System.

6. Defendants by way of further answer admit that Dwight Lopez, age nineteen (19), a student over the compulsory school attendance age, was suspended from Central High School on February 26, 1971, admit that a letter dated February 26, 1971, was forwarded to the parents of Dwight Lopez, which letter advised his parents that Dwight had been suspended for being involved in a school disruption and requested that a conference be arranged with his parents. Defendants further admit that a letter was sent to Dwight's parents advising them to appear on March 8, 1971, at 8:30 a.m. for a conference but that the parents did not appear and defendants communicated by phone with Mrs. Lopez and were informed by Mrs. Lopez that they were organizing. Defendants deny that Dwight Lopez was ever denied an opportunity to continue his education, and specifically aver that he did continue his education and graduated from high school in June of 1972. Defendants further specifically aver that the only problems Dwight Lopez had while in school were academic, that during the school year 1968-1969, Dwight Lopez only earned two-tenths of a credit toward graduation. Defendants deny the allegation that Dwight Lopez was not given a reason or reasons for his suspension, and aver that several attempts were made



to set up a conference with Dwight's parents to discuss the suspension, all without success. Defendants admit that Dwight Lopez was transferred to Adult Day High School on March 24, 1971, and specifically aver that he graduated as stated herein and that the suspension had no demonstrated affect on the completion of his education.

7. By way of further answer, defendants admit that Betty Jean Crome was temporarily suspended from McGuffey Junior High School on March 3, 1971, and aver that Betty Jean Crome returned to school on March 9, 1971; that a letter dated March 3, 1971, was forwarded to the parents of Betty Jean Crome advising them of the suspension, the period that it was to run and advising them to appear on March 8, 1971, at the school for a conference relating to the suspension. Defendants deny the allegations contained in paragraph 17 and 18 of the complaint, and aver that Betty Jean Crome continued her education on schedule and has completed the ninth grade by the end of the 1972-1973 school year and that the suspension had no demonstrated effect on her education.

8. Defendants admit that Rudolph Sutton, age nineteen (19), a student over the compulsory school attendance age, was suspended from Marion-Franklin High School on March 15, 1971, admit that a letter dated March 16, 1971, was forwarded to the parents of Rudolph Sutton advising them of the suspension, the period that it was to run, and the reasons for such suspension, the reasons given being that he was involved in a school disturbance and refused to follow the directions of the principal. Defendants admit that Rudolph Sutton was transferred to South High School, deny the allegation that he was not advised of the reasons for his suspension,

and specifically aver that Rudolph Sutton and his father were present at the disturbance which led to his suspension and further aver that Rudolph Sutton graduated on schedule from high school in June of 1971, and that such suspension had no effect on the obtaining or completion of his education.

9. By way of further answer, defendants admit that Tyrone Washington was temporarily suspended from Marion-Franklin High School on March 15, 1971, such suspension to run until March 25, 1917, admit that a letter dated March 16, 1971, was forwarded to the parents of Tyrone Washington, which letter notified his parents of the suspension, the term of the suspension and gave as reasons his involvement in a school disturbance and his direct refusal to follow the directions of the school principal. Defendants further admit that Tyrone Washington was transferred to East High School and graduated on schedule from high school in June of 1971. Defendants further specifically aver that the suspension had no demonstrated effect on his obtaining or completing his education.

10. By way of further answer, defendants admit that Susan Cooper was temporarily suspended from Marion-Franklin High School on March 15, 1971, admit that a letter dated March 16, 1971, was forwarded to the parents of Susan Cooper advising them of the suspension, which suspension was to run until March 25, 1971, and advising them of the reasons for such suspension namely, her being involved in a disturbance at school and her showing disrespect for the principal during the disturbance which occurred at the school on March 15, 1917. Defendants further specifically aver that Susan Cooper continued with her education at Marion-Franklin High School, graduated from high school on schedule in



June of 1972 and that the temporary suspension admitted herein had no demonstrated effect on Susan Cooper's obtaining or completing her education.

11. Further answering, defendants admit that Deborah Kay Fox was temporarily suspended from Marion-Franklin High School on March 10, 1971, with such suspension to run until March 19, 1971, admit that a letter dated March 10, 1971, was forwarded to her parents advising them of the suspension, the term that it was to run and reasons, namely, engaging in defiant conduct and showing disrespect for the principal, admit that she was resuspended on March 19, 1971, as a result of conduct in the assistant principal's office, that one of her parents was present with her on March 19, 1971, that a letter dated March 19, 1971, was forwarded to her parents advising them of the resuspension and defendants further aver that both the suspension of March 10, 1971 and March 19, 1971, was discussed with Deborah Fox's parents. Defendants further admit that Deborah K. Fox was transferred to South High School, but aver that such placement was first discussed with Lorene Howard, field counselor for the Ohio Youth Commission, since Deborah K. Fox was under her supervision. Defendants further specifically aver that Deborah Fox graduated from high school in January of 1973, that such graduation was ahead of schedule and that the suspensions admitted herein had no demonstrated effect on her obtaining or completing her education.

12. By way of further answer, defendants admit that Clarence Byras was temporarily suspended from Marion-Franklin High School on March 15, 1971, admit that a letter dated March 15, 1971, was forwarded to the parents of Clarence Byras, advising them of the suspension, that the suspension was to run until March 18, 1971, and

giving the reasons for such suspension, namely, his being involved in a school disruption, his refusal to go to classes and his demonstrating disrespect for the principal. Defendants further specifically aver that Clarence Byras continued with his education at Marion-Franklin High School, graduated on schedule from high school in June of 1972, and that the suspension admitted herein had no effect on his obtaining or completing his education.

13. Further answering, defendants admit that Carl Smith, age eighteen (18), a student over the compulsory school attendance age was suspended from Central High School on March 1, 1971, that a letter dated March 1, 1971, was forwarded to his parents advising them of the suspension, but aver that phone calls were made to his parents on March 2, 3 and 4, 1971, to arrange a conference concerning the suspension, that a conference was arranged for March 5, 1971, and defendants were advised that Carl and his mother were on their way to keep the appointment but never appeared. Defendants deny that Carl Smith was ever denied an opportunity to complete his education, that Carl Smith graduated from high school in June of 1972, having had academic problems prior to his suspension. Defendants further specifically aver that the suspension has had no demonstrated effect on Carl Smith obtaining or completing his education.

14. By way of further answer, defendants admit that Bruce Harris, age nineteen (19), a student over the compulsory school attendance age, was temporarily suspended from Marion-Franklin High School on March 23, 1971, admit that a letter dated March 23, 1971, was forwarded to the parents of Bruce Harris, advising them of the suspension, the term of the suspension, namely March 30, 1971, and the reasons, namely, his being involved in the disruption of an assembly and walking out of the assembly after the principal warned that such conduct would result in suspension. Defendants further aver that Bruce Harris graduated from high school in June of 1972, that such graduation was delayed due to previous academic problems, and that this suspension admitted herein had no demonstrated effect on Bruce Harris obtaining or completing his education.



15. Defendants by way of further answer admit that the provisions of Section 3313.66, Revised Code, proscribes the procedural conduct of defendants, and deny each and every other allegation contained in the complaint.

## SECOND DEFENSE

16. Defendants aver that the complaint in its present form fails to state a claim cognizable under Title 42, Section 1983, fails to state a claim demonstrating that any single plaintiff has been denied a right of liberty or property guaranteed by the Fourteenth Amendment to the United States Constitution; that the provisions of Section 3313.66, Revised Code, are procedural in nature and do not proscribe or prescribe conduct engaged in by plaintiffs, but instead act as a limitation on the inherent power possessed by defendants, and that given the conduct engaged in by plaintiffs as alleged herein, given the temporary character of the action taken by defendants no substantial question with respect to the violation of the Due Process Clause of the Fourteenth Amendment to the United States Constitution exists in this case.

## THIRD DEFENSE

17. Defendants aver that each plaintiff had an adequate administrative remedy available to him or her

through review of each temporary suspension by way of an appeal pursuant to Chapter 2506 of the Revised Code, that given the facts presented and the type of suspension involved such remedy would comport with any due process requirements, if the Due Process Clause was involved, and should have been pursued prior to bringing an action under Title 42, Section 1983.

**FOURTH DEFENSE**

18. Defendants aver that before the full procedural protection of the Due Process Clause to the Fourteenth Amendment of the United States Constitution does apply it must be shown that a right of liberty or property is involved and that a plaintiff or plaintiffs face deprivation of the right; that no right of liberty or property has been shown to be sharply implicated by reason of the operation of Section 3313.66, Revised Code, that the plaintiffs in the instant action have not been shown to be condemned to suffer a grievous loss by reason of the operation of Section 3313.66, Revised Code, and that by reason of the fact that no right of liberty or property is sharply implicated in the instant action and plaintiffs are not condemned to suffer grievous loss by reason of the operation of Section 3313.66, Revised Code, the procedural protections required by the Due Process Clause to the Fourteenth Amendment are not required and no process is due.

**FIFTH DEFENSE**

19. Defendants aver that education is not a fundamental right guaranteed by the United States Constitution, that education is a service and function provided by the State, that the Legislature of the State of Ohio has legislated with respect to the function and service of education and has determined that students may partici-



pate in the service of education subject to the limited power of discipline granted to the principal by Section 3313.66, Revised Code, that a legislative determination has been made in the formulation and development of the service, that the grant of limited power to the principal to discipline, as provided in Section 3313.66, Revised Code, will not damage or injure participation in the service or function and that further refinement or limitation of the power granted to the principal by Section 3313.66, Revised Code, is a legislative and not a judicial function.

**SIXTH DEFENSE**

20. Defendants aver that the Board of Education of the School District of the City of Columbus and the individual members named defendant who comprise the Board of Education are not persons subject to the provisions of Title 42, Section 1983, where equitable relief is sought, as in the instant case and, therefore, defendant, the Columbus Board of Education and those individual members named defendant who comprise the Board of Education, are not proper parties defendant and should be dismissed from the action.

**SEVENTH DEFENSE**

21. Defendants aver that the facts alleged and produced have not demonstrated that there occurs by reason of the operation of Section 3313.66, Revised Code, a constitutionally recognized stigmatization such as would entitle any plaintiff or plaintiffs as a whole to due process within the meaning of the Due Process Clause to the Fourteenth Amendment prior to the imposition of a ten-day suspension pursuant to Section 3313.66, Revised Code.

Wherefore, the defendants and each of them demand judgment dismissing the complaint, with costs.

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